

By Mr. PITTENGER: A bill (H. R. 13944) granting a pension to Della M. C. Rudolph; to the Committee on Pensions.

By Mr. RAINEY: A bill (H. R. 13945) granting an increase of pension to Nancy Huffman; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 13946) for the relief of O. S. Cordon; to the Committee on Claims.

Also, a bill (H. R. 13947) for the relief of D. A. Perkins; to the Committee on Claims.

Also, a bill (H. R. 13948) for the relief of Paul Bulfinch; to the Committee on Claims.

Also, a bill (H. R. 13949) granting a pension to Billy George; to the Committee on Pensions.

Also, a bill (H. R. 13950) for the relief of Robert Rayl; to the Committee on the Public Lands.

Also, a bill (H. R. 13951) for the relief of Arvada Noble; to the Committee on the Public Lands.

By Mr. TARVER: A bill (H. R. 13952) for the relief of Joseph Shabel; to the Committee on Claims.

By Mr. WELCH: A bill (H. R. 13953) for the relief of George H. Hutchinson; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9245. By Mr. BOYLAN: Resolution adopted by New York Detachment, No. 1, Marine Corps League, Brooklyn, N. Y., strenuously opposing the attempt on the part of Congress to further reduce the personnel of the United States Marine Corps, etc.; to the Committee on Naval Affairs.

9246. By Mr. COCHRAN of Pennsylvania: Petition of various citizens of New Bethlehem, Pa., urging the passage of the stop-alien amendment to the United States Constitution to cut out the 6,280,000 aliens in this country, and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9247. Also, petition of the Woman's Christian Temperance Union of Venus, signed by Ina Home, president, and of the Trinity Evangelical Church of Venus, signed by Rev. N. Frank Boyen, urging the passage of the stop-alien-representation amendment to the United States Constitution to cut out the 6,280,000 aliens in this country, and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9248. By Mr. DELANEY: Petition of the New York Tow Boat Exchange, of New York, urging opposition to any hurried consideration of the proposal to consolidate Government bureaus primarily for the purpose of economy, and also urging a full investigation of the proposals stated based on the actual economics involved as they relate to efficiency; to the Committee on Expenditures in the Executive Departments.

9249. By Mr. FITZPATRICK: Petition of the Bronx Board of Trade, favoring an early return of the 2-cent postal rate for first-class letters, and, if impossible, that a 2-cent rate apply to letters intended for local delivery in the city in which they are mailed; to the Committee on Ways and Means.

9250. By Mr. HALL of North Dakota: Petition of Board of County Commissioners of Bottineau County, N. Dak., favoring the enactment of emergency legislation for the relief of distressed farmers in their county; to the Committee on Agriculture.

9251. By Mr. LINDSAY: Petition of the Granite Cutters' International Association of America, Quincy, Mass., protesting against the use of limestone and urging the use of granite for the Federal courthouse for New York City; to the Committee on Appropriations.

9252. Also, petition of the Joint Executive Transportation Committee of Philadelphia Commercial Organizations, approving Senate bill 4491; to the Committee on Merchant Marine, Radio, and Fisheries.

9253. Also, petition of Marine Corps League, New York Detachment, No. 1, Brooklyn, opposing the further reduction of the personnel of the United States Marine Corps; to the Committee on Military Affairs.

9254. Also, petition of National Federation of Federal Employees, Union No. 384, Brooklyn, N. Y., opposing the furlough plan and percentage pay cuts of the economy act; to the Committee on Ways and Means.

9255. Also, petition of National Wool Marketing Corporation, Boston, Mass., urging the continuance of the Federal Farm Board to administer the provisions of the agricultural marketing act; to the Committee on Agriculture.

9256. Also, petition of the New York Tow Boat Exchange, 17 Battery Place, New York City, opposing hurried consideration of consolidating governmental bureaus; to the Committee on Expenditures in the Executive Departments.

9257. Also, petition of S. Haskel & Sons (Inc.), 97-115 Harrison Place, Brooklyn, N. Y., urging the use of granite for the Federal courthouse for New York City; to the Committee on Appropriations.

9258. By Mr. MEAD: Petition of Common Council of the City of Buffalo, urging reduction in coal prices; to the Committee on Interstate and Foreign Commerce.

9259. Also, petition of citizens of East Aurora, N. Y., urging support of the stop-alien representation amendment to the United States Constitution, to count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9260. By Mr. RUDD: Petition of National Wool Marketing Corporation, Boston, Mass., urging that the Federal Farm Board be continued as a body to administer the provisions of the agricultural marketing act; to the Committee on Agriculture.

9261. Also, petition of National Granite Commission, Boston, Mass., urging the use of granite for the New York Federal courthouse; to the Committee on Appropriations.

9262. Also, petition of the New York Tow Boat Exchange, New York City, opposing any hurried consideration of the proposal to consolidate Government bureaus; to the Committee on Expenditures in the Executive Departments.

9263. Also, petition of the Granite Cutters' International Association of America, Quincy, Mass., urging the use of granite instead of limestone for the new Federal courthouse for New York City; to the Committee on Appropriations.

9264. By Mr. TEMPLE: Petition of a number of residents of Burgettstown, Pa., supporting the stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

9265. By Mr. WHITTINGTON: Petition of the Legislature of Mississippi to the Congress, authorizing the Reconstruction Finance Corporation to make loans to States on the obligations of the States; to the Committee on Banking and Currency.

9266. Also, petition of the Legislature of Mississippi to the Congress, favoring the extending of relief to the owners of homes and farms throughout the Nation; to the Committee on Banking and Currency.

9267. By the SPEAKER: Petition of George A. Carpenter and others, protesting against any beer bill; to the Committee on Ways and Means.

## HOUSE OF REPRESENTATIVES

THURSDAY, DECEMBER 29, 1932

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we thank Thee that neither life nor death are able to separate us from the Father's love. As the children of Thy providence we are sheltered in the divine heart, that blessed retreat for all, so tranquil and restful. We breathe our heart's dear love to Thee. Permit us, dear Lord, to approach the tasks of the day with assurance and expectation. Do Thou brood over us and allow us not to wander from the fresh, spiritual, blossoming pastures of the garden life. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

## AGRICULTURAL APPROPRIATION BILL

Mr. BUCHANAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13872) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1934, and for other purposes.

Mr. HARE. Mr. Speaker, pending that, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARE. And that is to know whether it is understood that some time during the day it is the intention of the Committee of the Whole to rise, say, at 3.30 o'clock, to permit the consideration of the conference report upon the Philippine independence bill?

The SPEAKER. The gentleman from Texas can best answer that.

Mr. BUCHANAN. Mr. Speaker, I understand it is the program of the House to rise about 3.30 o'clock for the purpose of considering the conference report upon the Philippine bill. However, if we should lack just a few sections of being through with this bill, I might want to go on for perhaps 10 or 15 or 20 minutes longer in order to finish the bill. I do not like to set a specific moment at which to rise, when we might be practically through the bill.

The SPEAKER. The question is on the motion of the gentleman from Texas.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, with Mr. MONTAGUE in the chair.

The Clerk read the title of the bill.

Mr. ALLGOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. ALLGOOD: Page 34, line 10, after the word "diseases," strike out "\$200,000" and insert "\$100,000."

Mr. ALLGOOD. Mr. Chairman, this refers to the paragraph which reads:

Cotton production and diseases: For investigation of cotton production, including the improvement by cultural methods, breeding, acclimatization, adaptation and selection, and for investigation and control of diseases, \$200,000.

My amendment is to cut this in two and make the amount \$100,000. Mr. Chairman, I am starting at home with my economy. I come from a cotton section, and I am willing to stand up here and tell you that the cotton farmers are not asking for this \$200,000 appropriation for this purpose. We have already appropriated several million dollars for extension purposes for farm agents, and to the land-grant colleges for this specific purpose. This is duplication, and there is no question about it.

Mr. COCHRAN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. ALLGOOD. Yes.

Mr. COCHRAN of Missouri. The gentleman was at one time, I understand, the commissioner of agriculture of his State.

Mr. ALLGOOD. I was commissioner of agriculture of Alabama for four years.

Mr. COCHRAN of Missouri. The gentleman certainly ought to know what he is talking about, coming from a cotton section.

Mr. ALLGOOD. I do.

Mr. COCHRAN of Missouri. I propose to support the gentleman's amendment.

Mr. TABER. Mr. Chairman, will the gentleman yield to a suggestion?

Mr. ALLGOOD. Yes.

Mr. TABER. I think the gentleman is headed in the right direction in endeavoring to cut this thing down.

Mr. ALLGOOD. I thank the gentleman. Cultural methods, breeding, adaptation, selection. Our farmers know now

the kind of cotton they want to plant, when to plant it, and we are producing more than we can sell. I notice that over in Oklahoma a preacher has quit preaching and gone to breeding cotton, and that he has perfected a cotton which, instead of having 5 locks to the boll, he says will produce 15 locks to the boll, each boll weighing a pound. But he is holding it back, he says, until 1935, until we can get rid of our surplus cotton. It can easily be seen that under the present breeding information which we have and our cultural methods we are producing now a surplus of cotton, more than the farmer can sell. What the farmer is interested in is a better price for his cotton and not more information about breeding and cultural methods. You give him a proper price for his cotton and he will produce it. The stations where this money goes are Facaton, Ariz.; Bard, Calif.; San Diego, Calif.; Shafter, Calif.; State College, N. Mex.; James Island, S. C.; Wadmalaw Island, S. C.; Greenville, Tex.; San Antonio, Tex. Judging from the stations, I would think it has to do more with long-staple cotton than it does with the short staple. Somebody might say that the farmer does not know how to produce staple cotton that will sell. I saw a statement that millions of bales of cotton that are not tenderable were produced by the cotton farmers last year. That is not so. Less than 6 per cent of the cotton produced last year was not tenderable, but it was merchantable, it was salable; in fact, there was a greater demand for it than for tenderable cotton, because it could be sold at a cheaper price.

Mr. LaGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. ALLGOOD. Yes.

Mr. LaGUARDIA. Long-staple cotton comes in competition with Egyptian cotton, does it not?

Mr. ALLGOOD. Yes.

Mr. LaGUARDIA. Have not the Egyptian cotton and the long-staple cotton a field of their own?

Mr. ALLGOOD. To a certain extent they have a field of their own, but if you develop cultural methods here the Egyptians will get the knowledge just the same as the Americans, and they will be better able to continue to come in competition with our cotton farmers. You can not keep knowledge a secret.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. ALLGOOD. I yield.

Mr. CLARKE of New York. Is it not true that the land-grant colleges have derived a foundation fund from the sale of lands under the Hatch Act, and should it not be a part of their function to themselves spend from the endowment of their own institutions the money that should bring first-hand information locally?

Mr. ALLGOOD. They are doing this very thing at the land-grant colleges and experiment stations, and the demonstration agents throughout the country are helping the farmers with their crops. The kind of legislation that our farmers are interested in is not appropriating moneys to help produce more cotton to sell at a cheaper price; they are interested in legislation that will help them get a living price for what they know how to produce now.

Mr. BUCHANAN rose.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

Mr. PATTERSON. Mr. Chairman, the gentleman from Texas was on his feet seeking recognition to speak against the amendment.

Mr. DYER. Well, Mr. Chairman, it is too late. The amendment has been agreed to and announced by the Chair.

The CHAIRMAN. The proceedings just had with regard to the amendment may be vacated without objection. The Chair could then recognize the gentleman from Texas.

Is there objection to vacating the proceedings just had with reference to the amendment?

There was no objection.



Mr. BUCHANAN. Mr. Chairman, this is an appropriation of \$200,000 for studying the production and improvement of the varieties of cotton, one of the largest, if not the largest, agricultural crop in the United States, and that is all this bill carries for that crop on that subject. It includes one thing, the planting of a whole community or a whole county in one variety of cotton, so that when the cotton is carried to the gin, the seed will not be mixed, and that county will remain with one variety of high-grade, high-quality cotton. If that system prevails throughout the Cotton Belt, it will be but a few years until the quality of cotton will be judged as much by the community wherein it is raised as it is by the actual examination of the sample.

I wish to state to my colleagues that the United States is losing its foreign market for cotton. One of the primary reasons is that the grade, the quality of our cotton, has gone down so low that other countries are furnishing better spinnable cotton than the United States. Why is that? Because the farmers have been seeking quantity production instead of quality production, until a grade known as half-and-half has been planted all over the Cotton Belt, and the spinnable quality of American cotton has gone down until it is inferior to the cotton produced in other countries, and we are losing our market.

Mr. ALLGOOD. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. ALLGOOD. Here is a statement from the United States Department of Agriculture, Bureau of Agricultural Economics, Washington, D. C., October 25, 1932, 12 noon:

Untenderable in staple only, 282,800 bales of the 1932 crop.

That is less than 7 per cent. Four hundred and twenty-three thousand bales for the 1933 crop and only 242,000 bales for the 1932 crop, which is 6.8 per cent of the production. Of the tenderable amount, there were 8,887,000 bales that was tenderable—merchantable and only 242,000 bales that was untenderable. As I said a while ago, the amount untenderable was more marketable than that which was tenderable, because it is such a small amount, and the farmers who grow the cotton which is thirteen-sixteenths of an inch grow it to head off the boll weevil.

Mr. BUCHANAN. Untenderable cotton is not high-grade cotton.

Mr. ALLGOOD. Will the gentleman yield further?

Mr. BUCHANAN. No. I will not yield any more to answer such a question as that, because tenderable means it simply can be offered in satisfaction of future contracts. It may be a very low grade of cotton that is tenderable—unspinnable cotton—something like six or seven staples. Tenderable cotton means the range from low-grade cotton to the highest grade cotton. What we want to produce is the high-grade cotton, with high spinnable qualities in it, so that we can command the world market.

Another thing in this appropriation, we are rapidly coming to the point where we can raise as much long-staple cotton as Egypt. Even now there are thousands and tens of thousands of bales of cotton imported into this country, all very long staple, to make certain fabrics which require long-staple cotton, and a part of this appropriation is used to demonstrate that we can produce this long-staple cotton and do away with the importation of long-staple cotton and supply it ourselves.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ALLGOOD. I ask unanimous consent that the gentleman may have three additional minutes, as I want to ask him another question.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ALLGOOD. This appropriation, as I understand, does not apply to the ordinary cotton.

Mr. BUCHANAN. Yes. It applies to the ordinary cotton in Greenville, Tex. They do not raise any long-staple cotton there. It applies to Alabama also. It applies to the whole cotton-production industry of the United States.

Mr. ALLGOOD. There were only 282,800 bales of the 1932 crop that was untenderable.

Mr. BUCHANAN. Oh, we are not talking about that.

Mr. ALLGOOD. Tenderable cotton is seven-eighths and untenderable is thirteen-sixteenths, or a difference of one-sixteenth of a point. That is the difference between tenderable and untenderable cotton. Fourteen-sixteenths is tenderable and thirteen-sixteenths is not tenderable. There is the difference.

Mr. BUCHANAN. I am not talking about tenderable cotton.

Mr. ALLGOOD. There are 282,000 bales of untenderable cotton, cotton that they could not gamble on in New York, but the farmers can produce this untenderable cotton, the short-staple cotton which the gentleman is talking about. Some farmers prefer to produce the short-staple cotton on account of the boll weevil. They can produce it under conditions where they can not produce long-staple cotton.

They would rather produce it and take a little less price than they can get for the long-staple cotton. These farmers know they can produce long-staple cotton and that it will bring a little greater price, but to offset the boll weevil they prefer to produce what is known as half-and-half cotton.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUCHANAN. That is not all that this appropriation is used for. It includes the whole scope of cotton diseases, that fall short of insects, like all fungus diseases, the wilt of cotton, and things like that.

Some \$70,000 of this appropriation is utilized in an effort to find a remedy for the root rot of cotton that destroys a million or more bales every year. These experiments and demonstrations are now in actual operation with some promise of success. An experimental station has been established to study this disease which is absolutely ruining cotton culture in certain sections of the Cotton Belt. Then, there are diseases like the wilt of cotton, and so on, for the study of which this appropriation is used. Those who would cut this appropriation would strike out the only appropriation for the benefit of the cotton farmer. The amount carried is very moderate.

Mr. GLOVER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there is not a man in this Congress who wants to stand for rigid economy more than I do; but I do not propose to cripple the growth of cotton, the greatest crop grown in the United States, in this way.

I can not harmonize the gentleman's thinking and some of the declarations he made here yesterday with my own. The gentleman from Alabama said it was a blessing that we had the boll weevil. I guess he is praying for a new pest, not only the return of the boll weevil but for other things that can destroy cotton, the greatest agricultural crop in the United States.

Mr. ALLGOOD. Mr. Chairman, will the gentleman yield?

Mr. GLOVER. Not just now. I want to say to you that the argument of the gentleman from Texas is eminently correct.

We have suffered the grades of our cotton to run down so low that other countries can compete with us. India to-day is growing 4,500,000 bales of cotton of practically the same grade as our short-lint cotton, yet it was only a short time ago when she could not compete with us because our grade of cotton was higher than hers. Not only India, but other countries are now producing about 12,500,000 bales of this short-lint cotton, and that is the cause of our having a surplus of 10,000,000 bales of cotton in the United States at the present time.

This amendment would only help foreign countries to come in here and compete with us, instead of helping our own cotton farmers.

We are growing in this country now some long-lint cotton, known as sea-island cotton, I believe. We need that for the manufacture of automobile casings and other purposes, and

it is necessary that we have the culture of the longer staple cotton in this country.

Then, diseases are constantly occurring in the production of cotton. Some new pest develops nearly every year. The gentleman does not have to pray for more boll weevil, for there will be some other kind of pest that will be just as devastating. So this year if we have no appropriation by which the study of this can be continued and the pest destroyed, the production of one of the greatest agricultural crops known to the world may be stricken down.

Mr. ALLGOOD. Mr. Chairman, will the gentleman yield?

Mr. GLOVER. I yield.

Mr. ALLGOOD. The gentleman speaks of India and foreign countries growing cotton now that can compete with ours. Yes; and our people here by methods like this taught them how to do it. We sent men to Russia to teach the Russians how to compete with us.

Mr. GLOVER. You can not keep people from learning. I am glad America can teach other nations. I have no objection to other nations gaining something from the information we gather. We are not seeking a corner on knowledge, but we ought to have sense enough to meet those countries by the production of a cotton here that will meet their competition.

Mr. PATTERSON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Alabama.

Mr. Chairman, I am astonished that a Member from a cotton-growing State should offer to cut out half of the little appropriation that is allowed for experimentation and improvement in the culture of cotton. I have stood for economy and voted for economy, and one of the things that interests me most is to see some of my colleagues get so enthusiastic about economy, and when I recall the record heretofore and find some of these same economists voted or were not present when the vote was taken to return \$200,000,000 to the rich taxpayers of the country, and now seek to take \$100,000 away from the cotton farmers of the South, where a great deal of development is needed, if anywhere in the world.

The gentleman talks about the boll weevil, and I do not criticize him if he believes that the boll weevil has been a blessing to my own State. To be frank, the boll weevil has devastated thousands of acres of land in my State, and a number of counties which have been the center of one of the richest farming sections in the world are now bankrupt and partially depopulated because of the boll weevil. True, they are turning to dairying and so forth. But it will be long before the original economic status is reached. Many of these farmers have been compelled to move away and work for wages, all on account of the boll weevil. We are not praying for more boll weevils in our State. We can find other ways to control the production of cotton.

Another thing, we have heard so much about this surplus of cotton. There would be no surplus of cotton in this country if the people were clothed. If we could open up business in this country and manufacture enough products to clothe our children and open up modern markets and ship our cotton abroad where it is needed, there would be no surplus of cotton; on the other hand, every bale of cotton could be used. A surplus is not what is fundamentally wrong with the cotton-growing industry of the country, even though we may have to reduce to help ourselves temporarily; what is wrong is that a certain class of people have never paid any attention to the economy of having the income of the farmers and laborers sufficient to purchase the necessities of life. They have not shown the proper concern for the wages and income of our people so they could purchase the necessities of life. That is why there is a surplus of cotton.

The problem will never be solved by reducing the wages of those earning \$1,000 a year. The problem will never be solved by extreme deflation in this country. On the other hand, such tactics will destroy farmers and homes in every county and community and take from the people the ability to pay their taxes.

I know that some can get out and make people believe they are the friends of the people and we are serving them by extreme deflation, but I am perfectly willing to say that I for one believe that what this country needs is more purchasing power among the masses and I leave the decision as to whether I am right or wrong with the enduring years of time.

If you will inflate and raise commodity prices in this country then you will enable the cotton farmer and the wheat farmer, as well as all other farmers, to pay their mortgages and pay their taxes. You will also enable the Government to have a sufficient income. I can show you how there can be some very large savings made, instead of talking about saving \$100,000. The Government to-day is paying \$200,000,000 more by way of interest on bonds than is necessary, and if we could make proper refunding arrangements with respect to the obligations of the Government, what we are trying to save here would be chicken feed in comparison.

I hope this committee will not strike out or reduce this appropriation one dollar more than it has already been reduced and take this money away from the cotton farmers when we need it so much to improve the quality of our cotton. The farmers of my district alone, a year or two ago, lost one-half a million dollars or more on the staple of their cotton, which was below the standard and the mills would not buy it without penalizing them.

This is one of the most important items in the bill so far as the southern farmers are concerned, and I hope the committee will not adopt the amendment.

I plead with you with all the earnestness of my soul when I ask you not to refuse the great cotton industry which has created so much wealth for this Nation, and will again when times get normal and our people get a fair price for their cotton, as they will, this \$100,000 out of the hundreds of millions which are appropriated here from year to year.

I have voted for economy and have kept that up, but this in my judgment would penalize my section of the country and prove false economy for the whole country, every inch of which I love. [Applause.]

The pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama [Mr. ALLGOOD].

The question was taken; and on a division (demanded by Mr. BUCHANAN) there were—ayes 38, noes 56.

So the amendment was rejected.

The Clerk read as follows:

Dry-land agriculture: For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land condition, \$220,000: *Provided*, That the limitations in this act as to the cost of farm buildings shall not apply to this paragraph: *Provided further*, That no part of this appropriation shall be used for the establishment of any new field station.

Mr. TABER. Mr. Chairman, I make a point of order against the paragraph on the ground that it contains legislation. The first proviso is a statement which is clearly legislation, "That the limitations in this act as to the cost of farm buildings shall not apply to this paragraph." This is so clearly legislation that it does not require argument.

Mr. BUCHANAN. Mr. Chairman, this is a limitation on a limitation.

Mr. TABER. But, Mr. Chairman, it is a provision that permits more money to be spent than the statute authorizes and is not a limitation within the rule, but is legislation.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. TABER. Yes.

Mr. BANKHEAD. Does the statute fix the maximum amount that may be authorized?

Mr. TABER. Yes; it does.

Mr. BANKHEAD. I suggest that the Chair request the gentleman to cite that statute, because I think there is some question about it.

The CHAIRMAN. The Chair will be pleased to have the citation.

Mr. TABER. Mr. Chairman, I make a point of order against the paragraph on the ground that there is no



legislation authorizing this appropriation. I can not cite the statute referred to now, but the provision would not be in here unless there was a statute limiting the cost of any barn.

Mr. GOSS. Will the gentleman yield?

Mr. TABER. Yes.

Mr. GOSS. I would refer the gentleman to page 213 of the hearings, where it says that the language of the item has been amended by reducing the limitation of expenditures for construction work from \$30,000 to \$5,000. I think the organic law carries \$30,000, and the limitation in the bill is a reduction to \$5,000 in almost all cases, but in this case it is exempted entirely.

The CHAIRMAN (Mr. MONTAGUE). The Chair is prepared to rule.

The organic act, section 507, Title V, of the code, seems to be sufficient authorization to support the appropriation. The Chair therefore overrules that point of order.

Mr. TABER. Does the Chair overrule the point of order to that section which raises the limitation with respect to the amount that can be spent on barns?

The CHAIRMAN. The gentleman from New York made a point of order against the appropriation.

Mr. TABER. I made a point of order against the authority for the appropriation and against the paragraph with language in it which does away with any limitation as to cost of the buildings.

The CHAIRMAN. If the House has the right to appropriate, it seems to the Chair that it has the right to limit the appropriation and, if necessary, except from the operation of the limitation certain items, provided those items are authorized by law.

Mr. TABER. The Chair is correct that we have the right to reduce by limitation; but where a statute prohibits more than a certain amount being expended for a barn and we put in a proviso that the limitation of the statute shall not apply, that is new legislation and comes within the provision of the Holman rule.

The CHAIRMAN. The Chair may say that the difficulty the Chair is having is that the gentleman has not produced the statute to sustain his position.

Mr. KETCHAM. Will the gentleman yield?

Mr. TABER. I yield.

Mr. KETCHAM. If the Chair please, if the Chair will turn to page 30 of the bill now under consideration, in line 21 there is a limitation that the cost of any building erected shall not exceed \$1,500. It seems to me that the point of order is very well taken, because if this language is retained in the bill the limitation of \$1,500 would not be retained, and the cost of the building might be increased by any particular amount.

The CHAIRMAN. The opinion of the Chair is that the limitation which has been referred to can be removed.

Mr. LaGUARDIA. Mr. Chairman, would not this clarify the proposition? The gentleman from New York [Mr. TABER] makes a point of order that the limitation here is legislation in that it amends existing law. The only question is whether there is any existing law limiting the amount that may be spent on this building.

The CHAIRMAN. That is quite true, and the Chair has asked the gentleman from New York [Mr. TABER] to cite the law referred to.

Mr. TABER. I can not cite the law, but I assume there must be such a law or this language would not be in here.

Mr. BUCHANAN. Mr. Chairman, there is no existing law which fixes any amount on public buildings except as carried annually in the appropriation bills and, certainly, if this appropriation puts a limitation on the amount that may be spent for public buildings, the same bill can make an exception as to some other building.

The CHAIRMAN. The Chair is of the opinion that the committee has the right to impose a limitation on the pending appropriation and, conversely, the right to except from the operation thereof limitations of this character, and therefore overrules the point of order.

Mr. KETCHAM. Mr. Chairman—

Mr. BANKHEAD. Mr. Chairman, I respectfully raise the point of order that the Chair has ruled twice on this proposition.

The CHAIRMAN. The Chair has twice overruled the point of order, if the Chair may courteously suggest.

Mr. KETCHAM. Mr. Chairman, I move to strike out the proviso contained in lines 16, 17, and 18.

The Clerk read as follows:

Amendment by Mr. KETCHAM: Page 34, line 16, after the figures, strike out the proviso down to and including the word "paragraph" in line 18.

Mr. BUCHANAN. Mr. Chairman, I have no objection to that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

Mr. TABER. Mr. Chairman, I move to strike out the paragraph.

The Clerk read as follows:

Page 34, lines 14 to 20, strike out the paragraph.

Mr. TABER. Mr. Chairman, this is an item that has been going along for 40 years in reference to dry-land farming. That has been pretty well developed in the States of Texas and some parts of California and the Southwest. It has been going on with an appropriation for development, and I understand from the hearings, which you will find on page 292, for about 40 years and it has been pretty well accomplished. There is nowhere in the story of accomplishment anything in the last few years. There is still dry-land farm work and experimental farm work but no story of accomplishment. They have accomplished what they set out to do, and it is time to stop the spending of money in this way.

Mr. KETCHAM. Will the gentleman yield?

Mr. TABER. I will.

Mr. KETCHAM. Is it not true that this is cooperative work with States which are carrying out this identical work themselves?

Mr. TABER. I do not know.

Mr. KETCHAM. It is true. Is it not further true that carrying on this kind of work is in exact opposition to the general policy of Congress, which is right now seeking to reduce both land areas of cultivation and the further surplus production of crops?

Mr. TABER. It is true, and here is an opportunity for the Democratic majority in this House to show that they are for economy. We have got in some way to balance the Budget in this country; and if we do not cut out some of these appropriations, we are never going to balance the Budget.

Mr. SCHAFFER. Mr. Chairman, I rise in opposition to the amendment, and ask to proceed out of order for seven minutes.

The CHAIRMAN. The gentleman from Wisconsin asks to proceed out of order for seven minutes. Is there objection? There was no objection.

Mr. SCHAFFER. Mr. Chairman, this section of the bill refers directly to dry-land farming. I desire to call the attention of the House and the country to some facts which are closely related, particularly regarding wet-voting Republicans, lame ducks, and dry-voting Democratic ducks who are not in the lame-duck class.

The Associated Press dispatches of yesterday carry a statement sent out by the Democratic National Campaign Committee containing an indictment of all the Republican lame ducks in the House, by the leader of the Democratic Party in the Senate. He asserts that the Republican lame ducks have blocked the program of the Democrats. If you go to the CONGRESSIONAL RECORD of this body and the other body since this session of Congress convened, you will find that the present Democratic program consists of meeting at 12 o'clock and adjourning at 1 o'clock, meeting at 12 o'clock and adjourning at 2 o'clock, meeting at 12 o'clock and adjourning at 3 o'clock—meeting day after day in the other

body and adjourning without a quorum and without transacting any important business.

This statement, in which the Democratic leader in the Senate, through the Democratic National Campaign Committee propaganda, lays the defeat of the repeal of the eighteenth amendment resolution to Republican lame ducks is at the best a careless handling of the truth. When we look at the RECORD, what do we find? We find that every Democratic Congressman from the Democratic leader's State of Arkansas, 7 of them, voted against the eighteenth amendment repeal resolution, and if the distinguished Senator from Arkansas had but converted the 7 Members of this House from his own State, or only 6 of them, we would have had enough votes to have passed the repeal amendment for which 103 Republicans, including 48 lame-duck Republicans, voted. Every Congressman from Arkansas, except one, also voted against the beer bill. How many Democrats in their entirety voted for the beer bill? Only 133, while 64 of them voted against it, although their last platform promised beer immediately.

Republican votes, including lame-duck Republican votes, were necessary and were furnished in sufficient numbers to send the beer bill to the Senate, where the Democratic leaders are now chloroforming it. On the one hand we have many Democrats repudiating the solemn pledge of their party to support a modification of the Volstead Act, and on the other hand we have sufficient Republican votes to join with some of the Democrats to pass the bill, although the Republican Party did not bind its members in favor of modification.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER. I yield to the gentleman. Perhaps he has a late message from Albany, N. Y., to the effect that the President elect now favors the sales tax. [Laughter.]

Mr. BLACK. Oh, I was just going to ask the gentleman whether he had a late message from Florida as to how the President feels about the beer bill. [Laughter.]

Mr. SCHAFER. The thing to do is to have the Democratic leader stop pussyfooting and have the Senate send the bill up to him. I do not believe that the gentleman from New York will be disappointed in the President's action on the bill. You do not know where the next President stands on any question. He is here to-day and there to-morrow. Your Democratic Party does not have a program, and the record shows it. You have been drifting along since this session convened although you have told the people that they need a Democratic program to solve the country's problems. In the House you have a Democratic majority, and a Democratic majority in the other body, when you take into consideration those who are Republicans when they run for office and who supported the Democratic ticket last November. And now the Democrats are wailing, weeping, and bleeding because you are going to have to have a special session and you are trying to pass the buck to the Republicans who are actually in the minority in both Houses.

The Democratic leader in the Senate through the Democratic propaganda yesterday also indicated that the President elect would have time, if we did not have a special session of Congress, to consider what the country needs. After listening to the promises of the President elect and the promises of Democrats generally, the country was led to believe that the Democrats had a program for the solution of all the problems of the Nation and the ills of the world. The record indicates you have no program except to demagogue, as you have done, on the tariff issue in the last campaign. Under the Constitution a tariff measure must originate in the House, and you Democrats have had control of the House for over a year, and yet have not brought in one tariff reduction for consideration. The record indicates that in the past your Democratic leaders bitterly criticized the tariff on aluminum pants buttons, claiming that Mr. Mellon was interested in aluminum; but up to this very hour, having control of this branch of Congress, where the tariff must originate, you have not even brought to the House a bill or

resolution to reduce any tariff rate—not even the tariff on aluminum pants buttons—one-half of 1 per cent. [Laughter.]

Mr. BLACK. Mr. Chairman, will the gentleman yield to me?

Mr. SCHAFER. If the gentleman will get me some more time, I will.

Mr. BLACK. Sure, I will get you some time. I just wanted to know—

Mr. SCHAFER. Oh, no, just a moment. Get the time first. [Laughter.]

Mr. Chairman, I ask unanimous consent to speak for four additional minutes.

Mr. BUCHANAN. Mr. Chairman, I object to that.

Mr. SCHAFER. Mr. Chairman, the Democrats are afraid of the record. The record does not square with the false Democratic propaganda as exemplified in the utterance of the Democratic National Campaign Committee yesterday, purporting to come from the Democratic leader in the Senate. The record speaks for itself; and now instead of adjourning at 4 o'clock to-day, my Democratic friends, who control the House, and instead of adjourning to-morrow at 2 o'clock and the next day at 3, perhaps, just bring out the program that you have been talking about. You have hundreds of bills on the calendar reported by Democratic committees, and certainly now is the time to solve the pressing problems of the country. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The question is on the amendment of the gentleman from New York [Mr. TABER].

Mr. SUMMERS of Washington. Mr. Chairman, I rise in opposition to the amendment. The item which the gentleman from New York seeks to strike out provides for a study of dry-land agriculture in the Great Plains area east of the Rocky Mountains, extending from Canada down to central Texas. There are stations at Akron, Colo.; at Tucumcari, N. Mex.; Mandan, N. Dak.; Lawton, Okla.; Woodward, Okla.; Big Springs, Tex.; Dalhart, Tex.; and Sheridan, Wyo. The purpose of this work is to help those poor people, hundreds of thousands of farmers, who have established their homes in the semiarid region east of the Rocky Mountains, to know what crops they can hope to grow with some little profit, to help them in the selection of fruits and vegetables that may be grown there, that they may have something in the way of shelter belts, in the way of shrubbery in their gardens and yards, and fruits and vegetables about their homes, that they may know what are the best range conditions on which they may maintain their livestock, and problems of that kind. It does not concern my section of the country. It is for the study of problems east of the Rocky Mountains, but I call attention to the fact that it does vitally concern hundreds of thousands of farmers who are holding on by the skin of their teeth, needing all the help they can get.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. SUMMERS of Washington. I yield.

Mr. CLARKE of New York. Are there not two facts that are known to everybody in the world, first, through advertising that has been put out with regard to dry farming and what could be done in dry farming, people have been induced, fraudulently, through misrepresentation, to go on these arid and semiarid lands and buy property from western speculators and enrich those western speculators? And, in the second place, is it not the direct function of your own land-grant colleges in those States to furnish information to those people and to guide them, from the East, from the West, from the North, and from the South, into this country, where they have been induced to come through fraud and by those who took advantage of these people and sold them lands?

Mr. SUMMERS of Washington. Well, I do not yield any further for a speech.

Mr. CLARKE of New York. I just wanted to get this picture before the House. That is just exactly what happened.



Mr. SUMMERS of Washington. The condition which the gentleman describes I know nothing of. This country is from 500 to 2,000 miles from my home. I am only pleading for the farmers, mostly homesteaders, who have gone there from New York and other States all over the country and are undertaking to maintain homes and build up their farms and educate their children and live their lives in that country of their adoption. I think anything that can be done by the Department of Agriculture in cooperation with the State agricultural colleges to help those people ought to be done, and that this amendment should not prevail.

Mr. SNELL. Will the gentleman yield for a question?

Mr. SUMMERS of Washington. I yield.

Mr. SNELL. Are there any specific accomplishments which the gentleman can name that have been brought about by this appropriation?

Mr. SUMMERS of Washington. I would say to the gentleman that the accomplishments of the Department of Agriculture run into the tens of thousands.

Mr. SNELL. I was not asking about that. I mean specifically with reference to this appropriation.

Mr. SUMMERS of Washington. Yes. While I have served on this committee for a great many years, it is a very difficult problem to remember and point out specifically just what has been done here and there all over the United States. They have done many things.

Mr. SNELL. But in 40 years I would think they could tell us something definite.

Mr. SUMMERS of Washington. Yes; they have improved the type of farming, the type of grazing, and the shelter belts. They have demonstrated what fruits and vegetables can be grown in the home farm gardens to help in the sustenance of those people.

Mr. SNELL. If that is so, those people should have been able to live on these places during the last 8 or 10 years.

Mr. SUMMERS of Washington. Well, it has helped them to survive. It means everything to those people on those tracts of land to be able to grow a home garden, where they may have some fresh fruits and vegetables, and to maintain their livestock and grow some crops.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SINCLAIR. Mr. Chairman, I move to strike out the last two words. I would like to answer the gentleman from New York. In my district there is one of these dry-land field stations, known as the Northern Great Plains Experiment Station. That was established, I think, by the distinguished former chairman of the Committee on Agriculture [Mr. HAUGEN] a number of years ago. There are from 1,000 to 1,500 visitors to that farm every summer, to view the actual experimentation that is taking place there. The station is sending out shelter belt trees to two or three farmers in each township in that whole territory that lies west of the Missouri River in the State of North Dakota and extending over into the State of Montana. Some of those people are three or four hundred miles from any experimental station or land-grant college.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. SINCLAIR. I yield.

Mr. CLARKE of New York. Is it not true, however, that there are extension workers in each of those States, and through the extension workers is made available to the farmers scattered wherever they are, information that is not only collected in the land-grant colleges themselves, but information that is gathered under the Department of Agriculture in Washington, D. C., and radiated out to them?

Mr. SINCLAIR. There are some of these extension workers in the different counties, that is true; but there is a limit to what the extension worker can do. There are hundreds of farmers, however, who are not reached by extension workers. At this station we have an actual demonstration for the farmer who goes there in order to learn what type of grasses and grains are best adapted to his particular soil and locality.

We are trying to diversify farming in that section. Wheat alone is not a success. Farmers come and can see for themselves what can be done in the way of raising diversified crops instead of wheat. In this way the Government is helping the people who have homesteaded there to continue on their homesteads and make a living. As a matter of fact, that particular part of my State is now becoming self-sustaining, whereas in some of the older sections where single-crop farming prevails that is not the case.

Mr. ROMJUE. Will the gentleman yield for a question?

Mr. SINCLAIR. I yield to the gentleman.

Mr. ROMJUE. We hear complaint on every hand about too much production all over this country. I would like to ask the gentleman whether or not, if that is true, he thinks it is wise to withdraw money from the Public Treasury and expend it for more production?

Mr. SINCLAIR. Of course, I do not agree with the gentleman that there is too much production. There is lack of consumption, rather than too much production, but perhaps there is overproduction on certain articles. As a matter of fact, in case there is an overproduction these stations will teach the farmer how to diversify in order that there be no overproduction in any one crop. I think the gentleman from New York [Mr. TABER], by his motion to strike out this paragraph carrying the appropriation for these stations, is working a hardship on a large area of this country. This dry-land region, known as the wide open spaces, extends from four to five hundred miles in width clear across our country from Canada to Mexico. There is no question but that farmers living in this area are receiving wonderful aid from these experiment farms.

Mr. CLARKE of New York. May I ask the gentleman one further question?

Mr. SINCLAIR. Yes.

Mr. CLARKE of New York. What is the ultimate hope of these people upon these farms in this semiarid country? If there is not enough rainfall to grow crops, what is their ultimate hope? Is it anything but to be wiped out?

Mr. SINCLAIR. I would say to the gentleman that through the experimentation that has been done, and information gathered, it has been found that there is sufficient rainfall. At the Mandan station there is an average rainfall of 16.85 inches a year, and that is a sufficient amount to grow ordinary crops and enable the farmer to retain his home. I trust that the motion will not prevail.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. LA GUARDIA. I rise in opposition to the pro forma amendment.

I want to say to my colleague the gentleman from New York [Mr. TABER] that I believe he is confusing the purpose of experimentation and research work of this kind with the immediate question of production. Surely we can not delay scientific research until the time comes when this country will need greater production. That indeed would be lack of vision. The very purpose of this kind of investigation and study is to have the information complete and ready when it is wanted, for it can not be developed overnight.

Now, the gentleman from New York [Mr. CLARKE] asks if it is possible to change this arid territory into productivity. Why, I want to say to my colleague that I was raised out West, in Arizona, in the most arid part of the territory. Up to the time I was 15 years of age I had never seen a tomato anywhere outside of a can. At that time nothing could be raised in that part of the territory or in any part of it.

Through research, through study, and experimentation it was learned how to develop the system of irrigation and treatment of the soil to make productivity possible. Now there is a part of the great State of Arizona—it was a Territory then—that is very fertile in its production of fruit and other crops.

It may be true, Mr. Chairman, that some of these farmers were attracted from the East by real-estate booms. That is not the important question. Momentary overproduction is not the important question. The important question is the continuing of study to correct the defects of nature.

The most fascinating part of human activity is its constant combat with nature in fighting the elements and in correcting the defects of nature. This has engaged the attention of mankind from the earliest times of which we have record. Assuming, if you please, that we now have overproduction and production of more commodities than the people of the country have ability to purchase, that is no justification for closing the doors of these laboratories, closing the doors to scientific research, and stopping it. We must continue it. The population is constantly increasing. Some day the legislative branch of government will keep abreast of science. Why, Mr. Chairman, the most humble research scientist in the Department of Agriculture is at this time contributing more to his country than the most useful Member of Congress. The most humble engineer in the General Electric laboratory or the Radio Corporation of America laboratory is more useful to humanity than the most brilliant orator of this House. The trouble is that the legislative branch of government has not kept abreast with science. Government has lagged, science has advanced. We have permitted an unbalanced system of distribution to continue while science has increased production. We are living in the paradoxical state where there is great overproduction on the one hand and want and misery on the other. This is not the fault of science. This is the fault of government. This is the fault of the men who have control of the governmental affairs of the country.

I want to plead with my colleague, the gentleman from New York [Mr. TABER], in his eagerness—and he is sincere and works hard on these bills—not to be too hasty in cutting down these appropriations to continue this scientific work, so that when the time does come we will have the information available. I repeat, if the science of government had only advanced along with the progress made in electricity, chemistry, mechanics, transportation, and agriculture we would not to-day find ourselves in the midst of a ruinous financial crisis. While science and the arts and mechanics were progressing, government was struggling along with laws and economics founded on principles accepted centuries ago. To-day we are still endeavoring to struggle along under construction and limitations of a constitution drafted and accepted at a time when steam had not yet been applied, before the railroads, before the telegraph, when electricity was entirely unknown, and in the days of hand production. Yes, gentlemen, science has forged ahead, and nothing that ignorance, petty politics, lack of vision, or hope to continue the old system may try to do can stop the onward march of science. So let not Congress seek to mitigate its shortcomings by attempting to adjust the universe with its own snaillike pace.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. LA GUARDIA. I yield.

Mr. TABER. Is it not rather interesting that, although this work has been going on for 40 years and has accomplished some useful results, that we should be going on and spending the same amount of money that we have been right along after the development has been practically completed? This is the thing that appeals to me.

Mr. SINCLAIR. Where does the gentleman get the information that it is 40 years?

Mr. LA GUARDIA. What is 30 years, 40 years, or 50 years in comparison with millions of years of the universe with which we are confronted and have already conquered?

Mr. TABER. The hearings say it is 40 years.

Mr. LA GUARDIA. What difference does it make? The results and accomplishments are what count. Compare agriculture of 40 years ago with the results to-day. We must not stop progress.

Mr. ALLGOOD. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, I have been on these arid farms. Now, this appropriation does not relate to irrigated farms. It relates to the arid farm section of the great Northwest, as I understand it, and has nothing to do with irrigation.

I am in deep sympathy with those farmers who have been deluded and brought onto those farms. They can not pro-

duce a crop every year. They have to let their land lie idle one year in order to catch up the moisture, the little rainfall of 10, 11, or 15 inches. They keep it harrowed one year in order to hold the moisture so they can produce a crop the next year, and it is a fearful condition.

There are only two things that will solve their problem, and these are a heavy rainfall and a better price for their commodities. Those farmers way out there on those arid lands know more about the conditions that exist there than does the Department of Agriculture here in Washington or anybody else on God's earth. They are face to face with a fearful condition. What they need, as I said, is more rainfall and a better price for their commodities.

We are appropriating \$118,000,000 in this agricultural appropriation bill for experiments to increase production, but there is nothing in this bill that I have been able to find to help the farmer get better prices for his products. If there is something in here that will help these arid-land farmers to get more rainfall or better prices for their products, I will vote for it, but I am against this appropriation because it does not help the farmer. It is just more bureaucracy, more jobs for more experts, and the country is filled up with bureaucracy. During the last election the battle cry was raised against bureaucracy, and it was decried from one end of the country to the other. If we continue to vote for these useless appropriations just to give people jobs at the expense of the taxpayers, then I hold we have not kept faith with the voters of this country.

Mr. LEAVITT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it is a matter of great regret to me and, I think, to every Member of Congress from the new and growing section of the United States that the gentleman from New York [Mr. LA GUARDIA] is not to be in Congress the next two years. His approach to this subject is the approach of the statesman rather than the approach of one who is carried away by a momentary idea of economy and who strikes out at something with which he has no intimate acquaintance.

The gentleman from New York [Mr. TABER] takes this item and almost goes into a frenzy on the ground that here is a place to save money. He overlooks the fact that is clear to the gentleman from New York [Mr. LA GUARDIA], that we are engaged in building a nation in the United States and not a few sections of the United States, and that science is not brought to its final conclusions in experimentation in 2 years, 3 years, or, as he says, even in 40 years.

This experimental work in the semiarid section has been going on for a long period of years. It has not been going on in the immediate section to which the gentleman from North Dakota [Mr. SINCLAIR] refers for anything like that period of time, but it has been going on long enough to prove certain things and to point to certain conclusions. One of the things that is proven by this experimentation is that certain kinds of crops and certain species of crops can be developed that are to a great extent drought resistant. What could not be done a few years ago can be done on those areas of land to-day. Another thing they have proven, and in that they have had the cooperation of the people on the farms, because in the final analysis the success or failure of all this experimental work lies with the people who apply it to the practical problems of the farm.

They have proven the feasibility of certain methods of cultivation that now point to success where previously failure was a certainty. It is true, of course, there are some lands in the West that were settled upon and broken up that should not have been turned into homesteads, but that should have remained for their highest use as grazing lands. We all recognize this, but I have been in every State of the Union except one, and I have found abandoned farms in New England, in New York, and all over the United States. I found places where people have tried to farm and have failed, perhaps, in many cases because this sort of scientific and experimental work was not carried on in advance and they had to apply only their own experience, and their experience did not enable them to carry through. Much of



this land may be brought back under cultivation in those States through this same sort of scientific experimentation.

Out in my section of the country I rather resent the charge that the people are there as a result of the advertising of land sharks. There were land sharks there just as there were land sharks in other parts of the country during the period of pioneer settlement and development, but most of the land was settled by homesteaders who came there and took up land on the free, public domain, and since that land was thus opened to settlement they have the right to receive the support of the scientific branches of the Department of Agriculture to enable them to carry out the problems that confront them. Many of them came there, of course, without experience, and for this reason, if no other, it is necessary to carry on this sort of work.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. LEAVITT. I yield.

Mr. CLARKE of New York. Is it not true that at one period here in the Department of Agriculture and in the land-grant colleges of the Middle West as well, there were great statements about the result that might be obtained in dry farming? I recall this because I was living in Colorado at the time and the very foundation for these statements, in my judgment, came from paid propaganda of real-estate adventurers that had extensive estates out there.

Mr. LEAVITT. There is no doubt but what real-estate adventurers existed in the West just as they existed in New York and all over the United States.

Mr. CLARKE of New York. Then my statement is not wholly incorrect.

Mr. LEAVITT. No; but a great percentage of the settlement there was by homesteaders on the public domain.

I hope the amendment of the gentleman from New York [Mr. TABER] will be defeated.

[Here the gavel fell.]

Mr. BUCHANAN. Mr. Chairman, I want to make just a simple statement to the membership of this House on this appropriation. A little over \$200,000 is appropriated here for the Bureau of Plant Industry to aid and assist the farmers of the great Northwest, in what is known as the semiarid section of the United States, comprising practically one-fourth of the farming area of the United States.

We just passed \$200,000 for cotton production and diseases for that section of the country. Here is a little over \$200,000 to aid the farmers of the Northwest in the semiarid section that have greater difficulties than the cotton growers, because they have the elements to contend with.

My friend and colleague the gentleman from New York [Mr. SNELL] wanted to know if this work had ever produced any results. They have just invented and put in operation a character of plow that digs little holes in the ground as it goes along, and all the rain that falls on it is stopped and absorbed by the ground, which helps them to make a crop. A simple thing, it is true, but as is generally the case, great simplicity always distinguishes real, valuable discoveries and inventions.

So I say this appropriation ought to be allowed. Under this appropriation in four or five States experimental stations are maintained with their personnel. The Congress established these stations. Are we going to strike this out and abolish these stations? You will hear a howl to high heaven from that section of the country if you do, because they are rendering great service to a distressed people.

Mr. SNELL. Will the gentleman yield for a question there?

Mr. BUCHANAN. Yes.

Mr. SNELL. In considering these various items I have never wanted to strike them out entirely. I would continue them to a certain degree, but I had the idea that, perhaps, for a little while we could get along just as well if we cut them in two or took off 10 or 20 per cent, and in this way we would not lose what had already been gained, but we would have a little less expense for the next few years while money is not as plentiful as it has been in the past.

Mr. BUCHANAN. In the bill for next year there is \$22,000 less than the appropriation for last year, and it is

\$45,740 less than the appropriation for 1932. So we are gradually cutting down on all of these operations.

I want my colleague to understand that this is principally for personnel. This is for the operation of eight stations, located in different sections of this vast, semiarid area, and each station has its own personnel. If you cut this in half, you are going to have to close some of the stations and deprive one section of the service while you give the service to another.

Mr. SNELL. Is it true that practically all of these amounts are available for personnel?

Mr. BUCHANAN. Practically all.

Mr. SNELL. I had the opinion there were some other administration expenses that perhaps might be cut a little. My whole idea was to, perhaps, cut them all 15 to 25 per cent, in order to show that we were cutting down on general expenses.

Mr. BUCHANAN. My colleague will note that that is exactly what we have done in this bill.

Mr. SNELL. In several of these items I could not find any cut except those that were brought about on account of reduced salaries by the furlough.

Mr. BUCHANAN. Oh, yes; we have reduced them over \$1,000,000, in addition to that cut.

Mr. SNELL. In the two or three items I called the gentleman's attention to yesterday there was just a personnel cut.

Mr. BUCHANAN. Yes; that exception was a scientific bureau, where they have a scientific corps and each scientist has a particular branch of the subject under investigation. If you cut the appropriation in half, you would cut the salary of the scientists in half and leave the chain without a link in the middle. That is the reason those items were not disturbed.

But I can state to the gentleman that you are going to find a considerable cut in this item next year.

Mr. SNELL. I think this would be a good time to cut it now.

Mr. GARBER. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to address the committee for three minutes. Is there objection?

Mr. BANKHEAD. Reserving the right to object, and I shall not object, I know the disposition of the chairman of the subcommittee to be quite liberal in this debate, and he has declined to take any steps to stop the debate on these small items. But if we want to finish this bill to-day and get consideration of the Philippine bill we ought to proceed with the consideration of the bill and not spend so much time on these small items.

Mr. GARBER. I have not consumed much of the time of the House.

Mr. BANKHEAD. I shall not object to the gentleman's request, but we are all anxious to get through and we can not do it if we continue the debate on small items like this.

Mr. GARBER. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

Mr. GARBER. Mr. Chairman, members of the committee, while it is necessary to balance the National Budget, there can be no recovery until we balance the farmer's budget. He can not continue to produce below the cost of production. He can not continue to purchase the products of industry. He is without purchasing power.

#### WHY THE FARMER CAN NOT BALANCE HIS BUDGET

The actual figures of prices received and prices paid show the impossible condition confronting the farmer—and unbalanced economic condition preventing recovery. Without purchasing power, the farmers can not purchase, industry can not sell, and labor can not find employment.

Taking the average of prices from August, 1909, to July, 1914, as a base of 100, the farmer received in 1930, 117 per cent of such average for his products. But the prices for the things he had to buy were still higher. He was required

to pay 146 per cent of the price he paid in the period 1909 to 1914 on all articles bought, and 159 per cent for the machinery he had to have. In other words, though he received reasonably good prices for his products in 1930, his dollar was only worth 80 cents in the retail markets and only 73 cents in the purchase of machinery.

From 1930 to 1931 the price the farmer received for his products declined 32 per cent, the prices for all articles he had to buy, 14 per cent; machinery prices slipped down but 3 per cent, and the farmer's dollar was worth 21 per cent less in 1931 than it had been in 1930 for all articles and 29 per cent less when he came to buy his necessary machinery.

In the 11 months of 1932 for which figures are available, the price the farmer received for his products dropped to 58 per cent of the average from August, 1909, to July, 1914, the price of articles he had to buy was 111 per cent of the average, 1910 to 1914, and machinery prices were still 150 per cent of the average for the same period. The farmer's dollar was worth 52 cents for all articles bought but only 39 cents in the purchase of machinery. In other words, while the price the farmer received for his products in 1932 was 27 per cent less than it had been in 1931, he had to buy in a market in which there had been only a 12 per cent reduction on all articles and only 3 per cent on machinery. His purchasing power was 17 per cent less in 1932 than in 1931 on all articles and 23 per cent less when applied to machinery.

In the period 1930 to 1932 the price the farmer received for his products declined 50 per cent, the price on all articles bought, 24 per cent, and the price of machinery, 6 per cent, representing a decline in his purchasing power in the period 1930 to 1932 of 35 per cent on all articles and 47 per cent in the purchase of farm machinery. The above figures show why the farmer can not balance his budget.

If the farmer is expected to continue the production of our necessary foodstuffs, either the prices he pays for what he consumes must decline to the level of the prices he receives, which would mean a further reduction in wages of not less than 33 per cent, or the prices he receives for his products must increase to the level of the prices he must pay. This is but a statement of a primary economic fact which all must recognize and shows our only course for recovery is to increase the price of farm products, restore the farmer's purchasing power, and thus create a market for the products of industry and furnish employment to labor.

The following table, furnished by the Department of Agriculture, shows in detail what the farmers have been up against during the last 2 years and 11 months.

*Index numbers of prices farmers receive, prices farmers pay, and the purchasing power of the farmer's dollar, United States, 1930-1932*

Year and month	Prices farmers receive for products sold	Prices farmers pay for—		Ratio of prices received to prices paid for—	
		All articles bought	Machinery	All articles bought	Machinery
1930.....	117	146	159	80	73
1931.....	80	126	154	63	52
1932:					
January.....	63	118	152	53	41
February.....	60	116	151	52	40
March.....	61	114	151	53	40
April.....	59	113	151	52	39
May.....	56	112	150	50	37

<sup>1</sup> Average of prices from August, 1909, to July, 1914, equals 100.

<sup>2</sup> Average of prices from 1910 to 1914 equals 100. These index numbers are based on retail prices paid by farmers for commodities reported quarterly for March, June, September, and December. The indexes for other months are straight interpolations between the successive quarterly indexes.

<sup>3</sup> Average of ratios, from 1910 to 1914 equals 100. These ratios commonly are spoken of as representing the purchasing power of the farmer's dollar, the first series, in terms of all articles bought; and the second, in terms of machinery. No one farmer, however, exchanges all of the products upon which the index of prices received is based for all the articles upon which the indexes of prices paid are based, nor any of them in the same proportions as the prices of the individual items are combined in the various indexes. These ratios also are not true measures of purchasing power, inasmuch as such important cost items as taxes and wages are not included in the indexes of prices farmers pay since these items can not be classified as commodities purchased.

*Index numbers of prices farmers receive, prices farmers pay, and the purchasing power of the farmer's dollar, United States, 1930-1932—Continued*

Year and month	Prices farmers receive for products sold	Prices farmers pay for—		Ratio of prices received to prices paid for—	
		All articles bought	Machinery	All articles bought	Machinery
1932—Continued.					
June.....	52	110	150	47	35
July.....	57	109	150	52	38
August.....	59	108	149	55	40
September.....	59	108	149	55	40
October.....	56	107	149	52	38
November.....	54	106	148	51	36
Average, 11 months.....	58	111	150	52	39
Percentage decline from—					
1930 to 1931.....	32	14	3	21	29
1930 to 1932 <sup>1</sup> .....	50	24	6	35	47
1931 to 1932 <sup>1</sup> .....	27	12	3	17	23

<sup>1</sup> Preliminary, and subject to revision.

<sup>2</sup> 11-month average to date. December, 1932, figures are not yet available.

The CHAIRMAN. The pro forma amendments are withdrawn, and the question is on the amendment of the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. LEAVITT) there were 34 ayes and 23 noes.

Mr. BUCHANAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. BUCHANAN and Mr. TABER.

The committee again divided; and the tellers reported that there were 35 ayes and 51 noes.

So the amendment was rejected.

The Clerk read as follows:

Forage crops and diseases: For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation and control of diseases, \$215,000.

Mr. SUMMERS of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 34, line 25, strike out the figures "\$215,000" and insert "\$201,014."

Mr. SUMMERS of Washington. Mr. Chairman, this is an attempt to eliminate from the bill \$13,968, one of the six corn-borer items in the bill. This particular appropriation is for the investigation of forage crops as a substitute for corn. As Members know, I have been fighting this boggy worm of agriculture for several years. All of you remember in childhood days something about the boggy man, something that frightened you, something that they trotted out to scare you when you would not be good. The corn borer, to my way of thinking, after listening to the testimony before our committee for the past several years, is the boggy man of agriculture. You have expended more than \$20,000,000 in investigating and experimenting and fighting and cleaning up and eradicating the corn borer in the United States, and still the corn borer has been here for 25 years, and the Department of Agriculture experts tell us that it can not be exterminated, that its spread can not be prevented, and that it has not done any great damage. There is no indication that it is ever going to do any great damage. There is one place in the world where it did considerable damage, and that was in Ontario, Canada, where they grew corn year after year over a long period of time without cleaning up and destroying the stalks. The Department of Agriculture long since learned that if the stalks are burned, which is a common practice in the real Corn Belt of the country, or if the stalks are plowed under, then there will be no damage from the corn borer.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. GOSS. Is the item that the gentleman is trying to decrease the one for forage crops and diseases, for the purchase, propagation, testing, and distribution of new and



rare seeds, and so forth? Is that what he is attempting to strike out?

Mr. SUMMERS of Washington. Yes.

Mr. GOSS. What has that to do with the corn borer?

Mr. SUMMERS of Washington. This is for an investigation to learn what crops can be grown in place of corn if, perchance, the corn borer ever becomes destructive, although up to this time, for 25 years, there is no evidence that one acre in all the United States has had to be abandoned as a corn area because of the corn borer.

Mr. GOSS. And the only way of fighting the corn borer, do I understand the gentleman to say, is an investigation of forage crops as a substitute for corn?

Mr. SUMMERS of Washington. No; there are many different methods.

Mr. GOSS. It is only as a substitute for corn?

Mr. SUMMERS of Washington. No; I have just stated that the real method of destroying the corn borer, if perchance it ever is destructive, is to burn the cornstalks or to plow them under. That is what the department has learned. That is the real crux of this whole matter after having expended \$20,000,000 on the eradication of the corn borer. As I said yesterday, the cabbage worm and the potato bug and many other of the common garden pests are causing more damage in the United States every year than the corn borer.

Mr. GOSS. Mr. Chairman, I think the gentleman has made a mistake of some \$14 in his figures.

Mr. CHRISTGAU. There is nothing in the hearings on this item in reference to the corn borer or any investigation of the corn borer.

Mr. SUMMERS of Washington. The hearings during the past several years are extensive, and they are all to the effect that the corn borer has been in this country for 25 years and that it has done but little damage, that we can not exterminate it, that they can not prevent its spread, and yet we go ahead spending money. We ought to stop it.

The CHAIRMAN. The time of the gentleman from Washington has expired. The question is on the amendment offered by the gentleman from Washington.

The amendment was agreed to.

The Clerk read as follows:

Foreign plant introduction: For investigations in foreign seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, \$163,574.

Mr. ALLGOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. ALLGOOD: Page 35, line 7, strike out "\$163,574" and insert in lieu thereof "\$50,000."

Mr. ALLGOOD. Mr. Chairman, I seek to reduce this appropriation from \$163,574. It is an appropriation for the investigation of foreign seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions. I think under the conditions that we have now, with farm prices at a low ebb and with great debts weighing heavily upon our people, we need to study more about raising commodity prices than we do about studying about getting new plants and shrubs and seeds into the country. If we can not take what we have and succeed with it, we know that we can not take up some foreign plant or seed that we know little or nothing about and succeed with it. Under conditions that we have now I think we better be satisfied with what we have, instead of spending this money in foreign countries, and I suggest if we are going to spend it we also amend it so that it has special reference to seeds imported from France.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. ALLGOOD) there were ayes 19 and noes 22.

So the amendment was rejected.

The Clerk read as follows:

Forest pathology: For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease, the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, and including \$112,560 for investigations of diseases of forest trees and forest products, under section 3 of the act approved May 22, 1928 (U. S. C., Supp. V, title 16, sec. 581b), \$206,955.

Mr. MCGUGIN. Mr. Chairman, I move to strike out the enacting clause.

Mr. Chairman, on this motion which I am making I am in good faith in the matter. I do not suppose the House will agree with me. In order to discuss what I wish to discuss I ask unanimous consent that I may be permitted to proceed for 10 minutes instead of 5 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. MCGUGIN. Mr. Chairman, clearly the most important task before Congress and the country is balancing the expenses and revenues of this Government. In carrying out that policy it can not be done just by a revenue bill from the Ways and Means Committee. It must be done through both appropriations and revenue. I am opposed to the passing of any appropriation bills during this session of Congress. There is nothing radically wrong about that. We do not need these appropriations before June 30. There will be ample time between March 4 and June 30 to pass the necessary appropriation bills.

Now, let us see what our situation is. We can proceed now to pass appropriation bills, but they will be passed with no consideration whatever as to what may be the plan for raising revenue and the amount of revenue which will be required. Mr. Roosevelt is coming into office on March 4. He and his administration must be responsible for the money which this Government spends, as well as the taxes which are collected from the people. In the nature of things about the best we can do is to mark time from now until March 4, if we want to be honest about the matter. No one knows what Mr. Roosevelt's program is. No one can tell from the speeches which he made in the campaign what is his program. No one in this House knows what is his program. The present President does not know. We find this anomalous situation: When the President of the United States proceeds with a program on foreign debts Mr. Roosevelt repudiates that program. I am not entirely critical with Mr. Roosevelt on that position.

Mr. ALLGOOD. Will the gentleman yield?

Mr. MCGUGIN. I can not yield now. He must bear the responsibility of what is the ultimate end of the foreign debts, so probably he is on high ground in wanting to let that go over until his administration and let him carry it out according to his idea.

Now we come to the proposition of obtaining the necessary revenue to run this Government. No one knows what Mr. Roosevelt's program is; but the fact remains he is sitting in Albany and vetoing the program submitted in this Congress by the Democratic leadership. I do not care to be particularly critical with him about that. He must bear the responsibility of taxes collected during the next year. Probably he wants the taxes collected in a manner in keeping with his ideas and his program. The sad part of it is no one knows what his program is. We can not balance the Budget without associating appropriations or expenses with the income. It is just as foolish for the Government to try to make out its expenditures with no regard for its income as it is for an individual to do that.

Now we are proceeding to pass these appropriation bills. Our gross appropriations may be entirely out of line with the amount of revenue which will be obtained under any revenue bill acceptable to Mr. Roosevelt. There is no way

that this House can pass a revenue bill which will bring in enough money to pay the expenses which will be provided in these appropriations. There is no way that the 435 Members of this House can agree upon such a revenue bill, and whenever there is a revenue bill passed which will balance with the expenses of this Government it will be when a President sends his program to Congress and he has the power to lash Congress across the back and make it take that program, whatever it may be. [Applause.] I hope that when Mr. Roosevelt does come into office he will not permit the filling of post-office appointments until he has made his Democratic majority accept his program for obtaining revenue enough to balance the Budget of this country, whatever that program may be. I have my personal ideas as to what is the best revenue program, but I am ready to give up my ideas of the best revenue program if I can only obtain a revenue program which will balance the Budget of my country and preserve the credit of my country.

What is the situation? To show you how hopeless it is to get a revenue bill through this Congress, there are at least five trends of thought among the majority. One is to levy no taxes, just to print the money and meet the expenses. That is the Rankin bill. Another is just go ahead and issue bonds and make no effort to balance the Budget. Another program is the sales tax, a general manufacturers' sales tax. Another program is a special manufacturers' sales tax. Another program now advocated by the majority leader is the repeal of the eighteenth amendment, and get \$1,000,000,000 revenue from liquor. Now, there is no chance to do that in time to balance this Budget, especially in view of the resolution presented by Mr. GARNER, which provided that the repeal resolution would go out to State conventions. If one really intends to get revenue from liquor, there is only one way possible to get it quickly, and that would be to offer a repeal resolution and submit it to the State legislatures while they are now in session. While I am not indorsing that method, I am showing that it is begging the question to talk about balancing the Budget with liquor taxes, because it can not be done through the process of repeal short of three or four years unless it is submitted now to the legislatures.

As I said, I do not know what Mr. Roosevelt's program is on revenue and I do not think there is any Democrat who does. The leadership of the Democrats presented the sales tax and now Mr. Roosevelt turns "thumbs down" on that. I want to pay Mr. Roosevelt this compliment: That he is just as ruthless in repudiating his Democratic leadership in Congress as he is in repudiating the Republican leadership in the White House.

Again I say, no one knows what his program is. I do not know anything about the character or temperament of the next President. I have been told by some who claim to know him that he never has a program and carries it out; that he himself does not know from day to day what his program may be. I can not vouch for that. No one can tell what his program is from his campaign speeches. He had at least a good political reason for not coming down to earth and laying down a program; he did not want to get into controversial issues in the campaign. But, be that as it may, he is coming into power on the 4th of March, and from that time on he can not take the position of vetoing a program submitted by a President or by a Congress; he has got to lay down an affirmative program, and in order to balance the Budget of our country that affirmative program should apply both to appropriations and revenues. I want to wait until he comes into power and then let him call his special session, send his message to Congress, and say: "This is what I want in appropriations, and having obtained them, I want a revenue bill as follows which will bring in enough revenue to pay these appropriations." That is his responsibility. It is the responsibility he must take. It is the responsibility he sought when he sought the Presidency.

To talk about no special session is childish. We can not play horse with the people that way. The people of this country are not going to permit Mr. Roosevelt to sit on the

bench and draw his salary from March 4 until next December. They are going to demand that he pitch the opening game. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I rise in opposition to the amendment.

Mr. CHAIRMAN, the gentleman from Kansas preaches a strange doctrine. He preaches the doctrine that this Congress ought to make no appropriations, that it ought to violate its constitutional duty to provide revenue for the governmental departments. He advocates the doctrine that this session of Congress ought to make it absolutely necessary for a special session of Congress to convene; that he and the other gentlemen who are leaving us March 4—

Mr. KETCHAM. Not the gentleman from Kansas.

Mr. WOODRUM. I say he and those who are to leave us March 4—I stand corrected—are to step aside from their duty of legislating and pass it on to the new administration that does not come into existence until March 4.

In my judgment there is only one logical way to balance the Federal Budget and that is in the way we are doing it now and not in the way we did it at the last session of Congress. At the last session of Congress we worked on a revenue bill first, and my complaint then was that we were putting the cart before the horse; that the first duty of the legislative body was to try to cut Federal expenditures as low as they could possibly be reduced without impairing necessary functions of government, and then to raise enough revenue to run the Government. The Government has got to operate. We can not cease functioning. We have got to have enough revenue to pay the bill; but the first duty of Congress is to see how low it can get the bill, and raise additional revenue as a last resort. That is the program of Governor Roosevelt, as I understand it. The press reports him as saying that he believes the way to balance the Budget is to reduce public expenditures to the lowest possible level and then raise sufficient revenue to pay the bill, meet the expenses of government, and that is what Congress is doing now.

The Appropriations Committee, of which I have the honor to be a member, will bring in the various appropriation bills to the House of Representatives reduced as low as this committee thinks it is possible for the several activities to function and to function properly; but, Mr. Chairman, the greatest reduction in public expenditures can not be made in this way. There are many opportunities for reorganization of governmental departments and establishments where substantial savings can be made.

I think the country generally was disappointed in the recommendations made by the President. Some of them undoubtedly had merits, many of them had no merit, and few of them offered substantial opportunities for savings. I have in mind particularly one department that we considered a great deal last year—my friend from Texas [Mr. BUCHANAN] and myself did not agree on it—that is the Federal Farm Board. The President this year recommends an increase of \$200,000 in the appropriation for the Federal Farm Board, when, as a matter of fact, here is a clear opportunity for the abolishment of a governmental agency and the transfer of its activities to the Department of Agriculture, thus effecting a substantial saving. Another instance was in the Army and Navy. It was shown on the floor of the House that by consolidating and coordinating certain activities of the Army and Navy about a hundred million dollars a year could be saved. There are various other instances of that kind.

I believe if Congress pursues the course we are now adopting in working on these appropriation bills it will be able to make a showing that will bring gladness and delight to the hearts of the American people.

I do not think the gentleman from Kansas was really in earnest when he said we ought to pass no appropriation bills at this session of Congress. To my mind such a position is untenable and inconceivable. [Applause.]

[Here the gavel fell.]



The CHAIRMAN. The question is on the motion of the gentleman from Kansas to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. Goss) there were—ayes 1, noes 52.

So the motion was rejected.

The Clerk read as follows:

Genetics and biophysics: For biophysical investigations in connection with the various lines of work herein authorized, \$33,617.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 36, line 13, strike out "\$33,617" and insert in lieu thereof "\$20,000."

Mr. TABER. Mr. Chairman, this is an amendment designed to reduce one of these projects down there, which shows no promise of results and is simply occupied with proving false some theories of an imaginary character that have been projected by different people. For instance, in answer to a question by Mr. BUCHANAN, "Do you expect any results from this?" Doctor Taylor said:

It is altogether a guess what may come out of it. We have been able to correct some theories that appeared rather plausible, that through the radiation of current from wires overhead plant growth could be materially stimulated, as Sir Oliver Lodge felt could be made economically profitable. We have not found that true in the tests here, even when using the equipment of his design.

There have been no results whatever. It has been an absolutely futile thing, trying through the display of lighting current over plants to stimulate growth. I am not even going to try, as I have tried in the past in this bill, to strike out all of a foolish appropriation. I am simply going to try to curtail the appropriation, so that if they do not produce ultimate results before the next bill comes in, it can be entirely stricken out, and I hope the committee will support me.

The gentleman from Virginia [Mr. WOODRUM] has just told you that it is the policy of the Democratic President elect to cut expenses. Let us start the ball rolling. This is the first chance where we will have succeeded, if we succeed here.

Mr. BUCHANAN. Mr. Chairman, for fear the Members may not have fully grasped the meaning of the word "genetic," I may say that it includes within its scope the entire work of interplant breeding or the hybridization of plants, from which they have heretofore developed new plants or new varieties of plants. This is the scientific research upon which all of this hybridization is based, and all demonstrations are made out of this fund. I think the appropriation should be approved.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 35, noes 41.

So the amendment was rejected.

The Clerk read as follows:

Rubber, fiber, and other tropical plants: For investigation of crops introduced from tropical regions, and for the improvement of rubber, abaca, and other fiber plants by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation of their diseases, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, \$69,474.

Mr. ALLGOOD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLGOOD: On page 38, line 9, strike out "\$69,474."

Mr. ALLGOOD. Mr. Chairman, this appropriation has to do with rubber, fiber, and other tropical plants and is for investigation of crops, and so forth.

I claim this is a subsidy to Ford and other rubber manufacturers who are in the rubber game. They are spending their money to try to propagate rubber, and Edison spent a great sum of money for this same purpose. I can not see why the United States should subsidize these great rubber companies out of the Treasury of the United States in performing this character of work. We are simply duplicating

what the private manufacturers of rubber are doing, and this is a needless expense at this time, as these great rubber manufacturers have now acquired great rubber plantations in foreign countries and are thereby independent as to their crude rubber.

Mr. BUCHANAN. Mr. Chairman, I just wish to make a short statement. The Members of the House will recall the time when, by certain embargoes or otherwise, foreign countries had a monopoly upon the rubber supply of the world, especially England, and this ran the price of rubber up until it was costing us \$20,000,000 or \$30,000,000 a year on account of the increased price.

The Congress passed various appropriations and resolutions requesting two of the departments of the Government to investigate the matter and to ascertain whether we could raise rubber in the United States or whether we could secure some land in some other country for this purpose so we would be independent of this rubber monopoly. In obedience to the command of Congress the Department of Agriculture has gone abroad and has brought here over 50 varieties of the rubber plant to California and Florida. Two of these plants are extremely promising and have been growing from year to year and are now 8 years old. They are making just about the same progress that they make in their native country. One is from Madagascar and the other is the famous rubber plant that furnishes the major part of the world's supply of rubber. This demonstration and research work is being carried on out of this appropriation, and I say that since we have started the work and have such promising prospects we ought to complete it.

Mr. ALLGOOD. Will the gentleman yield for a question?

Mr. BUCHANAN. Oh, yes; I yield.

Mr. ALLGOOD. Is it not a fact that this is putting the Government in business?

Mr. BUCHANAN. Oh, no; this is just conducting experiments to demonstrate whether we can produce a supply of rubber in this country for American consumption. Then private enterprise will undertake the work and carry it on.

Mr. ALLGOOD. Is not private enterprise now doing just what you are taxing the American people here to do?

Mr. BUCHANAN. No; not in the United States. They are in other countries.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. ALLGOOD].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Western irrigation agriculture: For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the reclamation act, and other areas in the arid and semiarid regions, \$130,000: *Provided*, That the limitations in this act as to the cost of farm buildings shall not apply to this paragraph.

Mr. KETCHAM. Mr. Chairman, I move to strike out the paragraph.

The Clerk read as follows:

Amendment by Mr. KETCHAM: On page 39, lines 11 to 16, strike out the paragraph.

Mr. KETCHAM. Mr. Chairman and gentlemen of the committee, it seems to me that here is the place where we can practice economy and still not do harm to an essential service. If you will look over the hearings, you will find the purposes to which this appropriation is devoted. These purposes are the identical ones which the department, through the Extension Service in cooperation with States and counties, maintains in every one of the Western States. In every one of these States there are groups of men making it their special business to give consideration to the problems outlined in this paragraph.

As a result of this appropriation, a small one it is true, the Federal Government has a body of men going out into these fields duplicating study and efforts which the United States Government in another department is pursuing.

I believe this work is constructive and helpful, but I can not see any reason for the very clear duplication of effort.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. KETCHAM. I yield.

Mr. LA GUARDIA. Is not the study in the Department of the Interior, to which I suppose the gentleman alludes, on the engineering side and this is on the agricultural side?

Mr. KETCHAM. The gentleman is in error. I base my remarks on the testimony given in the hearings by Doctor Taylor. You will find it on page 371. I call attention to the last paragraph, as follows:

Under this appropriation the agricultural conditions in the arid and semiarid regions of the western United States are studied to determine the crops, rotations, and cropping methods best suited to successful irrigation farming in those regions.

There is scarcely a county in the irrigated districts where there is not a bright, active, progressive county agricultural agent thoroughly informed as to the latest methods and practices essential to successful agriculture in their sections. These men are putting into effect the intent and purpose of this appropriation. Why, then, shall we provide for this extra expense—this duplication of effort?

While the appropriation is not very large, if we are going to reduce expenditures, if we want to make a constructive effort to balance the Budget, here is one place in which we can render a small bit of service without limiting the particular kind of work for which this appropriation is made.

I want to say that I propose to cooperate with my good friend Doctor SUMMERS of Washington in his efforts toward economy. I want to say to him now that I am not restricting my efforts to western items alone, but I am going along with him in some of his amendments to the corn-borer items. I think the time has come when we can do that. I am going to surprise him by going along with him. But I really believe here is a useless duplication of effort and here is a place where we can save \$130,000, and I believe it ought to be done.

Mr. LEAVITT. Will the gentleman yield?

Mr. KETCHAM. I yield.

Mr. LEAVITT. If the gentleman is wrong in his information and this is not a duplication, then there is nothing left of his argument, is there?

Mr. KETCHAM. I would naturally expect the gentleman to take that position, but I am relying on a higher authority than the gentleman from Montana, who naturally has a sectional interest in these matters.

Mr. LEAVITT. That is the fact that this is not duplication.

Mr. KETCHAM. One moment; I am not yielding any more. I am going to a higher authority than the gentleman from Montana. I am taking the authority of a man whom I know favorably and well, a man from my own congressional district, who for many years has been at the head of this department, and who knows as much about it even as the gentleman from Montana. On page 371 of the hearings he outlines the work done under this appropriation. If that outline is not a perfect program for a county agricultural agent in those sections, I do not know the purpose of the extension service.

Mr. LEAVITT. Mr. Chairman, I rise in opposition to the amendment. The gentleman from Michigan [Mr. KETCHAM] bases his argument upon the supposition that this is a duplication of work that is being done by the county agents, as I understand it, in the various counties in which there are reclamation projects. Is not that so?

Mr. KETCHAM. I am saying that the county agricultural agents in every one of these counties who do not put emphasis upon the very things that are emphasized here are not rendering the services I feel sure their State director asks them to render.

Mr. LEAVITT. I agree with the gentleman on that, and they do put emphasis on that, but there is no county agent who has at his disposal an experimental plot on which these experiments that are worked out under this item in this bill can be carried on.

Mr. KETCHAM. Does the gentleman mean to say that in the State of Montana his experiment station does not carry on the identical work here outlined? Why, you would not have a director of an experiment station for 15 minutes who

did not emphasize the problems of reclamation. The gentleman is too wise a statesman not to understand that.

Mr. LEAVITT. Do not use all of my time. The gentleman from Michigan is making a statement that, although he does not intend it to be so, is misleading. One of these experiment stations provided for in this item is in my district, and in that experiment station, which is on the Huntley irrigation project, the problems of successful irrigated agriculture are carried out. There is another experiment station in the State of Montana, also in my district, that carries on experiments that have to do with general agriculture, not particularly irrigated agriculture, and that is not a duplication. If the experiment station on the Huntley project was not in existence, many of the things that are successfully carried through to prove the kinds and methods of successful irrigated agriculture would not be carried through, because it would not be a principal problem anywhere else. So the gentleman's argument falls by its own weight. He opposes this on the ground that it is duplication, when that duplication does not exist.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

Mr. KETCHAM. Mr. Chairman, I move to strike out the language in lines 14, 15, and 16 of this paragraph, beginning with the word "provided."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. KETCHAM: Page 37, line 14, after the figures, strike out the words "the limitations in this act as to the cost of farm buildings shall not apply to this paragraph."

Mr. BUCHANAN. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last word, for the purpose of saying especially to my good friend from Michigan [Mr. KETCHAM] that my record during 14 years in Congress may be critically analyzed and he will not find at any time that I have found fault or taken exception to anything in behalf of agriculture in any State or county in the United States. But if I find an item that I believe is a wasteful expenditure of money, then I attack that item. I am for agriculture. I am for the farmer. I am for anything and everything that will help out that great industry.

The Clerk read as follows:

Total, Bureau of Plant Industry, \$4,510,141, of which amount not to exceed \$1,511,042 may be expended for personal services in the District of Columbia and not to exceed \$13,200 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Mr. COLLINS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: After line 23, on page 39, insert a new paragraph, as follows:

"That no appropriation contained in this or any other act shall be increased by transfer from another appropriation in consequence of section 317 of part 2 of the legislative appropriation act, fiscal year 1932, as continued by section 4 of the Treasury and Post Office Departments appropriation act, fiscal year 1934, for the purpose of making a larger amount available for or on account of personal services or for increasing a limitation on any appropriation."

Mr. BUCHANAN. Mr. Chairman, I make the point of order.

Mr. COLLINS. Mr. Chairman, will the gentleman withhold his point of order?

Mr. BUCHANAN. Yes.

Mr. COLLINS. Mr. Chairman, the economy act contained a provision which permitted interchangeability among items of appropriations to the extent of 12 per cent. The purpose of this amendment is to prevent this interchangeability for the purpose of adding to the number of



employees in an office or for the purpose of increasing amounts of appropriations for objects upon which a specific limitation has been imposed. If the Congress emphatically indicates as to a given bureau that a certain amount is made available for employees, say, 100, the bureau should not be permitted to add 10 additional employees or 100 additional employees to the force appropriated for by virtue of the 12 per cent interchangeability. Again, if an item in an appropriation is restricted by stating that expenditures therefor shall not exceed a certain specified sum, that item should not be increased or doubled or tripled by virtue of the 12 per cent interchangeability provided for in the economy act. The interchangeability item was inserted in the economy act primarily for the benefit of those departments whose appropriations were reduced 10 per cent by the Senate last year over and above the reductions made by the House, in order to take care of any contingencies that might arise by reason of such action and not for the purpose of increasing items that had been deliberately restricted by the Congress.

Hence, it seems to me that every Member of the Congress should favor this particular amendment, because it undertakes to insure compliance with the intent of Congress. Without it I fear items of appropriation will be increased that we thought we had definitely and certainly restricted.

Mr. BURTNESS. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. BURTNESS. If the amendment proposed by the gentleman is adopted, what will there be left under the interchangeability provision?

Mr. COLLINS. Very considerable latitude.

Mr. BURTNESS. What illustrations could the gentleman give where a department could find relief against an emergency situation? Would not almost every possible contingency that would arise be limited by the language with reference to increasing the limit of the appropriation as contained in the act?

Mr. COLLINS. No; not at all. For instance, this appropriation "Sugar-plant investigation" can be increased 12 per cent. There would be no interference with that. The next one, "Tobacco investigation," increased 12 per cent, but that does not mean that they can increase the number of employees, because each bureau estimates to Congress the total number of employees needed, and we appropriate in most instances for the number that they give as the needed number. Now this is to prevent them from increasing their office forces or to increase an item that has been restricted. For instance, if we should say on page 39, "Provided, That expenditures under this paragraph on account of farm buildings shall not exceed \$100,000," that would prevent the department from increasing that limitation by \$12,000.

Mr. BURTNESS. Will the gentleman yield so that I can make my question plain?

Mr. COLLINS. I understand fully the purpose of the gentleman's question.

Mr. BUCHANAN. Well, Mr. Chairman, I make the point of order.

Mr. COLLINS. I would like to have the gentleman state the point of order.

Mr. BUCHANAN. I have already stated that it is legislation on an appropriation bill. Not only that, but it seeks to control appropriations in other bills.

The CHAIRMAN (Mr. O'CONNOR). The Chair is ready to rule. The amendment is clearly legislation on an appropriation bill, in that it affects other acts of legislation. A similar ruling was made by Chairman BANKHEAD on January 6, 1932 (CONGRESSIONAL RECORD, p. 1394), when a similar proposition was under consideration. The Chair sustains the point of order.

Mr. COLLINS. Mr. Chairman, I offer an amendment which I have sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: After line 23, on page 39, insert a new paragraph, as follows:

"That no appropriation contained in this act shall be increased by transfer from another appropriation in consequence of section 317 of Part II of the legislative appropriation act, fiscal year 1933,

as continued by section 4 of the Treasury and Post Office Departments appropriation act, fiscal year 1934, for the purposes of making a larger amount available for or on account of personal services or for increasing a limitation on any appropriation."

Mr. HASTINGS. Mr. Chairman, I rise in support of the amendment. I regard this as a very important amendment. I want to invite the attention of the Members to the abuses of this legislation or that section in the economy act, as shown by the transfers reported in the hearings on the Interior Department appropriation bill.

The subcommittee in charge of the preparation of the Interior Department appropriation bill last year made every effort to cut down appropriations and to limit and reduce certain appropriations. Later on, through emergency legislation, large appropriations were made for roads and trails in the national parks. During the hearings on the Interior Department bill this year it was disclosed that \$75,000 was taken from this appropriation for roads and trails and transferred to "Surveying the public lands," under the General Land Office. Sixty thousand dollars were taken from the same fund and transferred to the General Land Office under the head of "Protecting public lands, timber, and so forth, 1933." Ten thousand dollars were taken from this same fund and transferred to "Contingent expenses." Five thousand dollars were taken from this same fund and transferred to the head of "Salaries," General Land Office. So that there were \$150,000 in the aggregate taken from the appropriation for roads and trails and transferred to the General Land Office and used as I have indicated.

Mr. GOSS. Will the gentleman yield?

Mr. HASTINGS. I yield.

Mr. GOSS. Is that more than 12 per cent, or is it less?

Mr. HASTINGS. I do not have the exact figures at hand. I think it is less.

I want to call attention to how this item appropriated for roads and trails suffered. The committee and Congress cut down the appropriation for the Office of Education last year carried in the Interior Department appropriation bill. There was transferred \$30,000 from the roads and trails appropriation to "Salaries, Office of Education" for the current year.

Let us examine the appropriation for the Geological Survey. There was transferred from this same roads and trails fund for 8 or 10 items of the Geological Survey, including "salaries," "topographical surveys," "geological surveys," "fundamental research," "volcanologic surveys," "mineral resources of Alaska," "gaging streams," "classification of lands," "printing and binding," "preparation of illustrations," "engraving and printing geologic and topographic maps," and "mineral leases," in all \$284,000 from this appropriation for roads and trails.

Let us examine the transfers in the Bureau of Indian Affairs. There was transferred from the Fort Hall irrigation project to "Salaries, Bureau of Indian Affairs, \$15,000." From Indian school buildings to "Salaries, Bureau of Indian Affairs, \$7,500"; from repairs of Indian school buildings to "Salaries, Bureau of Indian Affairs, \$7,500"; from health work among the Indians, to "Salaries, Bureau of Indian Affairs, \$7,500." In other words, there was transferred, as I now recall, \$30,000 in the aggregate from these various items for the use of salaries. I do not have the time to read all of the other transfers, but if you will turn to pages 7 and 8 of the hearings under the Interior Department appropriation bill you will find that not only these items but other items were transferred in the aggregate sum of \$706,100. I do not believe the Congress ever intended that such transfers should be made to increase appropriations that had been reduced, and I am supported in this contention by the statements made by the gentleman from Tennessee [Mr. BYRNS] and the gentleman from Indiana in the House December 22, 1932. It may be within the letter of the economy act but not within its spirit. I hope the amendment will be adopted.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. BYRNS. Mr. Chairman, I rise in opposition to the amendment. I rather regret that my warm personal friend

the gentleman from Mississippi [Mr. COLLINS] has proposed this amendment to this bill.

I say that for the reason I do not know what effect it is going to have, and neither does he. I am opposed to any sort of provision giving to one department or the head of a bureau the right to transfer funds that have been appropriated. This matter was threshed out a year ago when we had up the economy bill, but Congress by an overwhelming vote decided to do it. Then I opposed it together with the gentleman from Indiana, and was consistent in my opposition. Frankly, I was not so much disappointed that it was done for the reason that we were making a strenuous effort to cut down appropriations, and I realized that in this process of reduction we were liable to cut too deep in some quarters and possibly not cut deep enough in others. In order to avoid just what was claimed would be the result that deficiencies would come in and we would be called upon to make deficiency appropriations at this session, I confess to you that I was not so much disappointed that this provision went into effect. Now we have decided to continue the provisions of the economy act for another year. I am sorry the gentleman from Mississippi did not bring this up in full committee, or failing in that, did not put it on his own bill, which I hope will come up in committee next week, so that it could be threshed out and we could have had some understanding as to just what effect it is going to have. It is proposed here on a bill for a department, so I am informed by the gentleman from Texas [Mr. BUCHANAN], in which only \$14,000 has been transferred during this year. In other words, the Department of Agriculture has not availed itself of this 12 per cent provision except to the extent of \$14,000; and that is within the bureau, the gentleman from Texas informs me.

I do not see any reason for this amendment going upon this bill. I am fearful that in our efforts to cut down and to reduce, some of the bureaus will be up here next December asking Congress to make additional appropriations for deficiencies, and that some other bureaus that probably we have not reduced in this way will have gone on and spent money which otherwise might be transferred to meet a particular deficiency. The result will be that one bureau will be spending more than it ought to spend and another bureau will be coming here asking for a deficiency because it did not have enough money.

It seems to me that under these circumstances, since these are unusual times, we ought to let this provision go along. I want to say to you that I have called the matter to the attention of the Senate Economy Committee which is considering the economy provisions of the bill, with the request that that committee propose some amendment to the economy provisions upon the Post Office and Treasury bill now pending in the Senate which will prevent an abuse, if there is any abuse, of this particular provision. I would infinitely rather see that committee which is giving the matter consideration come along and act upon it after careful investigation than for you and me without the slightest knowledge, without an opportunity to really give it any serious consideration, to adopt this provision particularly upon this bill where it is less applicable than it is to any other appropriation bill unless it be the legislative and District of Columbia appropriation bills.

[Here the gavel fell.]

Mr. BYRNS. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BYRNS. Many of the instances cited by my good friend the gentleman from Oklahoma were inexcusable. Of course, I know the gentleman from Idaho [Mr. FRENCH] in explanation stated that that was one department which was unfortunate enough to receive a 10 per cent cut without any particular consideration upon the part of the Senate and that explained it. However, I do believe we ought to have some general provision and that if the Senate Economy Committee fails to provide it then we ought to

work this out and know what we are doing rather than to adopt a provision here which I am fearful few of us besides its author understand. I am frank to say I do not know what it means.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. I yield.

Mr. HASTINGS. On December 22 the gentleman from Tennessee discussed this very matter at very great length.

Mr. BYRNS. Yes.

Mr. HASTINGS. I called his attention to these transfers at the time; and the gentleman from Tennessee condemned them, as I thought, in the most vigorous language that possibly could be used. I thought the gentleman from Tennessee would be in hearty sympathy with an amendment of this kind, because he went on by saying:

But I hope if that be necessary, and it certainly ought not to be necessary, the Economy Committee and the Appropriations Committee of the Senate where the Treasury-Post Office bill is now pending will write into it a provision preventing any further misuse of the funds appropriated by this Congress.

Now, that is exactly what this amendment is intended to accomplish.

Mr. BYRNS. Does the gentleman know that? Let me say to the gentleman that when it comes to putting legislation in the form of limitation on an appropriation bill we had better know what we are doing. If it does that, then there should be no objection to it. The point I am making is that I am not certain as to what it does accomplish. I have had no opportunity to examine the amendment.

Mr. HASTINGS. Does the gentleman say that it does not accomplish this very purpose?

Mr. BYRNS. No; but I think the burden of proof is on the proponents and not upon me. The committee had no opportunity to consider the matter. My only statement is that we should be given an opportunity to analyze and examine its effect. I have already called to the attention of the Senate Economy Committee the importance and, as I regard it, the necessity of safeguarding that provision, and I am hopeful that it will be done; but if it is not done, I submit that we can do it on some other bill after we have had an opinion from the Comptroller General as to the effect of the language to be used.

Mr. HASTINGS. That is all this amendment intends to do.

Mr. BYRNS. But does it do it?

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I wish to call attention to two or three facts. This 12 per cent interchangeability proposition was adopted because of the radical, ill-considered, perhaps, 10 per cent cuts that were made in some of the bills in the Senate so as to make the bills elastic enough to let the departments operate and function. In this bill no cuts whatever have been made except those that were made by the committee after careful study. Even where it was demonstrated on the floor here that it was absolutely useless to make some of these appropriations, the House in committee has voted to keep them in. There have been absolutely no cuts whatever, and there has been absolutely no effort whatever on the part of the committee to balance the Budget. It is absolutely ridiculous not to pass this amendment and prevent the application of the 12 per cent interchangeability proposition to this appropriation bill, because there are not any radical cuts and there are not any cuts whatever except those that the committee itself has made, and most of them were made by the Budget. The cuts in general administration total approximately \$1,000,000 in the entire bill, and it seems to me the least we can do under all the circumstances is to adopt the amendment offered by the gentleman from Mississippi [Mr. COLLINS].

Mr. ALLGOOD. Will the gentleman yield?

Mr. TABER. I yield.

Mr. ALLGOOD. Is it not a fact that most of the reductions come from salary reductions as a result of the furlough?



Mr. TABER. They are about all the cuts that there are in the bill.

Mr. BYRNS. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BYRNS. Mr. Chairman, there is not a Member of the House for whom I have a higher personal regard, not only as a Representative in his efforts to serve the people of the country, but also personally, than I have for my good friend, the gentleman from New York [Mr. TABER]. I regret very much that the gentleman from New York was not present when this bill was considered by the entire committee.

Mr. TABER. Will the gentleman yield there?

Mr. BYRNS. Yes.

Mr. TABER. I was obliged to be over at the hearings of the Joint Committee on Veterans' Legislation at that time.

Mr. BYRNS. That does not change my statement that I regret very much that the gentleman was not present in the committee when he could have proposed some of these numerous amendments which he has proposed upon the floor of the House and given the committee an opportunity to examine them.

I am not a member of this subcommittee, but I want to compliment the subcommittee upon the work it has done. I know that this committee, headed as it is by the gentleman from Texas [Mr. BUCHANAN], has worked earnestly day and night in an effort to cut down these appropriations. I dare say there is not an appropriation bill that is presented to the Congress, not excepting the War and Navy Department bills, that is quite as difficult to prepare as the Department of Agriculture bill, filled as it is with hundreds and hundreds of items of appropriation; and I submit when we made no effort in committee to reduce the appropriation, we ought not to get up here and criticize the five gentlemen who spent their time day after day in hearings on these bills, in an effort to reduce the appropriations.

The impression prevails that this committee has not accomplished anything toward balancing the Budget. If the gentlemen had read the report, I am satisfied they would not have made such statements and would not be laboring under such a misapprehension. I have just told you that you have here a bill filled with hundreds of little items that have grown up from year to year, and there is scarcely a man on the floor of this House who is not interested in one or more of these particular items, because they affect that class of people upon whom the prosperity of this country depends, if we are ever to have any more prosperity in this country.

It is surprising to me that when the Department of Agriculture bill comes up for consideration, we find gentlemen on the floor who have an objection to this item or that item, affecting one or another section of the country, undertaking to attack and reduce the appropriations, when some of these gentlemen upon the other side of this Chamber on day before yesterday went on record, if you please, as voting for an item of \$460,000 for a central heating plant here in the District of Columbia that the President of the United States and the Director of the Budget said was not necessary. Ah, gentlemen, when we practice economy, let us practice it. Let us not do it at the expense of the farming element of this country that is more essential to your prosperity and the prosperity of your country than any other particular element. Let us not use the Department of Agriculture appropriation bill, because perhaps we know something about one section or about one appropriation, as a football to make a record, if you please, for economy on the floor of this House, and then turn around and vote for appropriations such as the one I have just mentioned, which was not even estimated for and about which there was not a line of testimony. [Applause.]

Mr. COLLINS. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLLINS. Mr. Chairman, I have the highest possible regard for the chairman of this committee. I have the highest regard for the chairman of the subcommittee. I feel as kindly toward him as I do toward any man in this House. This matter was discussed in the full committee. It had been brought to my notice previous to that. I was not able to be present when it was discussed before the full committee, but knowing the attitude of the members of the committee I submitted this amendment last Saturday, or the last time the bill was on the floor, to the chairman of the committee. I felt that it met with his views, certainly not his opposition, and I thought I was proceeding upon a course in which I thought we all were in full accord.

The purpose of the amendment is solely to prevent a bureau of the Government from increasing the number of employees after it has estimated for the number needed, and also to prohibit a fixed amount of expenditure being exceeded by the 12 per cent interchangeability provision.

Mr. WHITTINGTON. Otherwise the provision remains in full force and effect.

Mr. COLLINS. Absolutely. In other words, it makes a department employ the number of people they said they needed and limits expenditures to the amount named in limitations. It goes that far and no farther. The amendment has been carefully drawn and scrutinized by others and myself.

[Here the gavel fell.]

Mr. ALLGOOD. Mr. Chairman, I voted against the appropriation for Howard University for 460,000. I thought as they had an appropriation of \$800,000 for the library, they could transfer what they needed for the heating plant, and that they ought not to call on Congress for an additional appropriation. I hated to see Congress make that appropriation. But the passage of the appropriation for the Howard University does not justify us to-day in voting for needless appropriations in other bills. Many high crimes and misdemeanors have been enacted in the name of the farmer. This Congress—and I was a party to it—enacted a provision giving \$500,000,000 to the Farm Board. We saw it increase prices temporarily and bring on overproduction of crops and get us into the slough of despond that we are in to-day.

Take this bill, known as the agricultural bill, which is supposed to help the farmer. We all know that the farmer needs help, but he does not need it along the line of many of the provisions in this bill. This bill provides for better seeds, propagation, fertilization, and cultural methods. The farmer does not need any more help along these lines. We have overproduction already. What he needs at the hands of this Congress are laws that will bring better commodity prices. To insure better commodity prices we will also have to restrict production. We need legislation along these lines.

Our National Budget is too high. Our personal budget has been reduced, and we are going to reduce this National Budget. I am starting on this bill and intend to follow all through the other appropriation bills by asking for reduced appropriations instead of voting for increasing taxes. The farmer can not pay his taxes now. He can not pay the present high interest rates.

I am for the farmer as against the bureaucrats.

You are not going to get anywhere with a tax-raising proposition until you increase commodity prices and put men to work in this Nation, and this kind of legislation will not do that. We might as well get down to rock bottom on governmental expenditures and start right now.

Mr. BYRNS. Mr. Chairman, will the gentleman yield?

Mr. ALLGOOD. Yes.

Mr. BYRNS. Does the gentleman know how much the appropriations have been reduced under the three bills that have been reported to the House? If not, I will say to the gentleman that the three bills, including this, have reduced

appropriations, which in the first instance were reduced \$1,139,000,000 in the last session by a Democratic Congress, by over \$425,000,000; and when the deficiency bill comes in here to-morrow, the gentleman will find that the President's estimates in these four bills will have been reduced over \$56,000,000. I think the committee is entitled to commendation from gentlemen who seek now apparently to criticize it. [Applause.]

Mr. ALLGOOD. I am not criticizing the committee, but where it can be shown to the House, as has been done, that there are appropriations here that can be cut in two and the work be carried on, and where it can be shown that appropriations are not necessary, I think the House has the right to be upheld as well as the committee.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last three words. I am going to support the amendment proposed by the gentleman from Mississippi [Mr. COLLINS]; and in view of the fact that ordinarily I undertake to protect the position of our committees in the bills that they bring in, I want to state very briefly the reasons that actuate me in voting for this amendment. The only controversy here between the gentleman from Mississippi [Mr. COLLINS], who offers the amendment, and the chairman of the Committee on Appropriations, the gentleman from Tennessee [Mr. BYRNS], is not as to the substance or the virtue or the necessity for this amendment, but the difference seems to be as to the time and the place and the guise under which it is offered. That might appeal to the members of the committee. I do not know whether the gentleman from Mississippi is subject to any criticism for offering this amendment here or not. That is a question that does not appeal to me in undertaking to make up my judgment as to the merits of the amendment. The gentleman from Tennessee [Mr. BYRNS] and myself are in entire accord as to the general principles sought to be invoked by the amendment. We have discussed them on the floor of the House and privately. This is admittedly a proper restriction which ought to be placed on the departments, not only on this particular bill but upon all of these appropriation bills, to curb and correct an admitted abuse upon the part of those who administer the sums voted by the Congress. Simply because an amendment of this sort was not proposed on the bills that have heretofore been passed does not militate against its desirability when it is presented to this particular bill, and when it presents matter that those of us who do favor it desire to see enacted into law. It seems to me that we would be negligent in expressing our real convictions on the merits of the proposition if we did not vote for this amendment at this time when it is presented.

Mr. BYRNS. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. BYRNS. Here is a bill, as I have said, to which an amendment of this sort is less applicable than to any other bill reported by the committee, except the two that I named heretofore. You have a bill here that, strange to say, through all the years I have been here—and the gentleman from Texas [Mr. BUCHANAN] can correct me if I am wrong—has had within its bureaus a 10 per cent provision such as this; and no gentleman, as far as I know, ever sought to cut it out. We cut it out in this bill because we thought we ought not to have a 10 per cent provision and a 12 per cent provision. Does not my friend think it would be infinitely better to have a provision applying to all the appropriation bills than to this particular one?

Mr. BANKHEAD. Absolutely, and I therefore regretted very much when the distinguished gentleman from Texas [Mr. BUCHANAN] made the point of order against the first amendment of the gentleman from Mississippi, which would have covered all appropriation bills. My friend from Tennessee can not place me in the position of criticizing this bill. On the contrary, I pay high tribute and praise and respect to the chairman of this subcommittee and of all

those who have participated in framing this bill for the very fine work they have done in creating real economy in the administration of this department. I am not rising for the purpose of criticizing the committee, whose activities, on the other hand, I commend. But I do not want to be drawn away from the merits of the pending amendment by an extraneous proposition. I propose to vote for the amendment upon its merits, because it is offered here, and I can not consistently vote against it.

The pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. COLLINS].

The amendment was agreed to.

The Clerk read as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester and other personal services in the District of Columbia, \$327,819.

Mr. TABER. Mr. Chairman, I offer an amendment, which I have sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 42, in line 13, strike out "\$327,819" and insert in lieu thereof "\$250,000."

Mr. TABER. Mr. Chairman, this is an appropriation for services in the District of Columbia. There has been no cut aside from the 8 per cent cut. In fact, the cut is not 8 per cent, but it is 6 per cent of the previous appropriation. It seems to me we ought to cut the services in the District of Columbia at least as much in proportion as we are cutting those outside, and we can, without any difficulty even, reduce this item at least \$75,000. I hope the House will adopt this amendment.

Mr. HOOPER. Will the gentleman yield?

Mr. TABER. I yield.

Mr. HOOPER. Is the gentleman failing to take into consideration the planting of that billion trees?

Mr. TABER. Well, I do not know whether the chairman of the Subcommittee on Appropriations has provided for that billion trees or not. Of course, it might satisfy some people of the soundness of the proposition. At any rate, that would not come under administrative expense, and we can cut the administrative expenses without interfering with the billion trees if the House and the President elect decide to put them in.

Mr. McGUGIN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, according to the report, this item has been reduced only \$24,000 under last year. If we are going to economize in the cost of government, it does seem to me there can be some economy exercised in this service. If you go out through the business world, farmers, merchants, and individuals have suffered a greater percentage reduction in income than that. Every line of business has been compelled to reduce its expenditures and its activities more than in the ratio of 24,000 to 327,000. The proposed amendment will further reduce the expenditures for the Forest Service \$77,000. Such a reduction appears to me as fair.

In consideration of this agricultural appropriation bill I want to make some remarks. I come from an agricultural State, and there is no desire on my part to cripple agriculture anywhere along the line; but here are the facts, the eternal facts: The relief for agriculture is to be found in reduced production. Now we find the Agriculture Committee working on what is known as the allotment plan, the very purpose of which is to compel agriculture to reduce its production. In other words, to go out and say to a man who owns a farm which nature intended to produce something, "You must reduce your acreage"; but throughout this bill here are appropriations to try to make possible the cultivation of land which nature never intended to be cultivated. So we have a situation here of the Government spending money to develop land that should not be cultivated and then at the same time presenting to the country as an agricultural relief plan the allotment bill, the very purpose of which is to discourage the cultivation of land



which should be cultivated and which by nature was intended to be cultivated. Now, throughout this bill there are appropriations for the purpose of developing this new land, which had their origin several years ago when we were trying to produce enough food to feed the world, back during the war and immediately thereafter.

That condition no longer exists. What we are doing to-day is to get ourselves into the position where we produce only enough food to feed the American people; yet, here we are spending money from a Treasury which is bankrupt for the purpose of developing land and cultivating land which should not be cultivated. Our whole position is ridiculous. This bill associated with the proposed allotment plan produces the most ridiculous absurdity that could be presented to the people. It is wrong.

Here is a chance to make a vital cut and do it for the benefit of agriculture, not to the detriment of agriculture. This bill should be recommitted with instructions to reduce the appropriation by 10 or 15 per cent. I know that is not the scientific way to reduce appropriations. What should have been done was to have stricken out these items throughout the bill which appropriate money to encourage the cultivation of land which should not be cultivated. There is where the saving should have been made for the good of the Treasury and for the good of agriculture.

When we begin to talk about economy, we should be consistent. This agricultural appropriation bill should not be viewed from the angle of Representatives from the city districts who do not have any interest in agriculture. On the other hand it should not be viewed from the angle of Representatives from the agricultural sections thinking they only serve their section when they raid the Treasury for appropriations which run exactly counter to our latest proposed agricultural-relief program. [Applause.]

[Here the gavel fell.]

Mr. LA GUARDIA. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my real purpose is to address myself to the amendment offered by my colleague from New York. I do not see the direct connection between the production of agricultural commodities and the proper governmental supervision and study of national forests and the carrying out of a sound conservation policy.

If there is one thing a casual reading of the history of our young country discloses to any legislator it is the wanton, cruel waste of our forests without any supervision, without any thought of the future, in the early days of the Republic. Has the gentleman already forgotten the scandal during the Taft administration on this question? Was our Forest Service brought about by accident or is it not the result of mistakes of the past and the necessity of having a national forest and conservation policy necessary to the very existence of our people in general and of agriculture in particular? Why, Mr. Chairman, to stand up here and attempt to abolish or curtail our conservation policy, impairing proper supervision of our forestation and reforestation it seems to me discloses a willingness to ignore not only a necessary function of the Government but to ignore what happened in this country in the past. I submit that the amendment offered by the gentleman from New York to reduce the amount for the necessary overhead and local supervision goes to the very crux of the entire appropriations provided for in this bill.

I want to repeat, Mr. Chairman, that our Forest Service and our forest policy is not of political creation. The Forest Service is not a political bureau. It did not happen overnight. It was brought about after years of the most wanton waste and in disregard of what other countries in the world were doing, what other countries had gone through. Dalmatia was entirely denuded of her forests during the time she was under the control of the government of Venice. China disregarded the protection of her forests centuries ago and has been paying the price ever since. Germany had and has the ideal forest laws and conservation policy, and I think our present forest policy was in a fashion patterned after the German system. It

is not as perfect or does not go as far as the German system; but whatever we have, I shall not permit, without a fight, to be destroyed.

So I repeat again simply a word of warning, Mr. Chairman, that we should not stand up here in the name of economy to make a show at home and ignore the lessons of centuries and the demands of the future. We must legislate not only for to-day, but we must have vision, we must look ahead. Here is a question that goes to the very vitals of the safety not only of the country but of the farmers themselves. If our forests are destroyed, we will have flood problems and a great many other problems that are directly and indirectly connected. Do my colleagues forget the hundreds of millions of dollars appropriated for flood relief? Is memory so short to forget the loss of property and life from floods? Do you not recall annual appropriations for the dredging of navigable streams? All the result of man's disregard of nature's purpose in creating forests. So I want to appeal to my friend from New York, who I know has made a study of this question, not to unduly seek to tear down what has cost so much to establish.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. I yield.

Mr. TABER. I have only asked that the amount be cut down from \$327,000 to \$250,000. This is for administration expenses in the department, and I believe this cut can be accomplished and still leave them sufficient to provide the necessary help and supervision.

Mr. LA GUARDIA. Of course, the gentleman knows his bill, but let me point out that in the several pages following is outlined the work of the many, many projects which require this supervision in Washington.

Mr. TABER. Some of it is not necessary, as I will point out when we get to it.

Mr. LA GUARDIA. I make this appeal to hold these appropriations to the figure recommended by the committee, for I am sure it has been given very careful study.

Mr. BUCHANAN. Mr. Chairman, I wish to make a brief statement.

The appropriation regarding which the gentleman from New York has offered an amendment is for the administrative expenses of the entire Forest Service, not only the Forest Service, but the cooperative forestry program that is provided for under the McNary and Sweeney Acts, involving the supervision of 161,000,000 acres of actual forest land, 300,000,000 acres of grazing land which we rent out for pasture, and 500,000,000 acres of privately owned forest land. Two hundred and eighty thousand dollars of this appropriation is used for salaries for supervisory work to keep the machinery going in an orderly course, and whenever any institution employs a large number of men it must provide competent supervision or it does not get good labor. These are the facts, Mr. Chairman, and I did not see how this appropriation could be reduced in the committee. Therefore, I did not do it. It is not for agriculture; it is for the conservation and preservation of our forest interests as a national asset.

Mr. PITTENGER. Mr. Chairman, I move to strike out the last three words.

I shall not take up much of the time of the House, but I wish to support the position taken by the gentleman from New York [Mr. LA GUARDIA]. I listened to the remarks of my friend the gentleman from Kansas, who seemed to think that these appropriations and this national forest policy contained something detrimental to agriculture. I disagree with the gentleman on the position that he took. If there is anything connected with the national forest program it is in the interest of agriculture rather than opposed to the interests of agriculture.

The policy of the people who have to do with our national forest program is to take tracts of land in these localities where there are national forests and plant them in timber. We have a national forest program which has been worked out over a period of years. There is nothing more important to all of the people of the United States than the national forest program that is in force and effect.

I want to say to this committee that we should not do anything to forestry work to hinder it, but on the other hand the program ought to be expanded and this expansion ought to be carried out under the careful efficient management now provided.

Mr. LEAVITT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I do this not with any thought of adding anything to the fine statements that have been made by those in opposition to the amendment offered by the gentleman from New York [Mr. TABER]. The gentleman from New York [Mr. LaGUARDIA] has presented the forestry case in a wonderful way, and his statement has been added to by the statements of the gentleman from Minnesota [Mr. PITTINGER] and the chairman of the subcommittee.

I want to call attention to the fact that the gentleman from New York [Mr. TABER] has offered this amendment to cut the appropriation without specifying any point at which the cut shall be made, and on the erroneous ground that this is an item that is to be expended entirely in the District of Columbia. This is not an appropriation to be expended entirely in the District of Columbia. It has to do with the rental of quarters outside of the District of Columbia. It also has to do with such things as the furnishing of medical supplies and services and other assistance necessary for the immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service. This would apply to fighters of forest fires, and a little later on in this bill we have an item for the maintenance of the graves of a number of forest-fire fighters who lost their lives in this service. Every year there are men who are injured in this work.

We have in this appropriation that the gentleman from New York [Mr. TABER] wishes to reduce, without reference to any of the details, the funds necessary for immediate emergencies in taking care of cases of this kind, and I could go through the entire item and show that it does not apply alone to the District of Columbia but covers items that extend throughout the various activities of the Forest Service.

The amendment of the gentleman from New York [Mr. TABER] should be defeated overwhelmingly.

Mr. ALLGOOD. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I am against this amendment. This may surprise my friend from New York as well as the chairman of the subcommittee, but this money does not seek to put more land under cultivation. It does not seek to increase the surplus of farm products, but will take land out of cultivation. Land that should not be put in crops will go into forests, and this is a good provision and should be supported. If it tended to increase the production of farm products, I could not support it, but it is in keeping with Governor Roosevelt's rehabilitation plan of taking lands that experience has proven to be unprofitable as farm lands and convert them into timber-producing areas.

The pro forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken, and the amendment was rejected.

Mr. BUCHANAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MONTAGUE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 13872, the Department of Agriculture appropriation bill, had come to no resolution thereon.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BULWINKLE, for January 3, 4, and 5, on account of personal and private business.

To Mrs. PRATT (at the request of Mr. SNELL), for three days, on account of illness.

#### PHILIPPINE INDEPENDENCE

Mr. HARE. Mr. Speaker, I call up the conference report on the bill (H. R. 7233) to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands, to provide for the independence of the same, and for other purposes, and ask unanimous consent that the statement may be read in lieu of the report.

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, I would like to have an understanding with the gentleman from South Carolina as to the disposition of such time as may be at the disposal of the House on this particular matter.

Mr. DYER. Mr. Speaker, further reserving the right to object, this matter was only considered by the House for 40 minutes when it was up before. It is a very important matter, and I doubt the wisdom of trying to consider a conference report without a quorum. I do not want to delay the matter if the gentleman from South Carolina is willing to go ahead without a quorum. The membership of the House generally has not had a chance to consider this legislation, but I shall not make the point of no quorum, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. HARE]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7233) to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands, to provide for the independence of the same, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

#### "CONVENTION TO FRAME CONSTITUTION FOR PHILIPPINE ISLANDS"

"SECTION 1. The Philippine Legislature is hereby authorized to provide for the election of delegates to a constitutional convention, which shall meet in the hall of the house of representatives in the capital of the Philippine Islands, at such time as the Philippine Legislature may fix, within one year after the enactment of this act, to formulate and draft a constitution for the government of the Commonwealth of the Philippine Islands, subject to the conditions and qualifications prescribed in this act which shall exercise jurisdiction over all the territory ceded to the United States by the treaty of peace concluded between the United States and Spain on the 10th day of December, 1898, the boundaries of which are set forth in Article III of said treaty, together with those islands embraced in the treaty between Spain and the United States concluded at Washington on the 7th day of November, 1900. The Philippine Legislature shall provide for the necessary expenses of such convention.

#### "CHARACTER OF CONSTITUTION—MANDATORY PROVISIONS"

"SEC. 2. The constitution formulated and drafted shall be republican in form, shall contain a bill of rights, and shall, either as a part thereof or in an ordinance appended thereto, contain provisions to the effect that, pending the final and complete withdrawal of the sovereignty of the United States over the Philippine Islands—

"(a) All citizens of the Philippine Islands shall owe allegiance to the United States.

"(b) Every officer of the government of the Commonwealth of the Philippine Islands shall, before entering upon the discharge of his duties, take and subscribe an oath of office, declaring, among other things, that he recognizes and accepts the supreme authority of and will maintain true faith and allegiance to the United States.



"(c) Absolute toleration of religious sentiment shall be secured and no inhabitant or religious organization shall be molested in person or property on account of religious belief or mode of worship.

"(d) Property owned by the United States, cemeteries, churches, and parsonages or convents appurtenant thereto, and all lands, buildings, and improvements used exclusively for religious, charitable, or educational purposes shall be exempt from taxation.

"(e) Trade relations between the Philippine Islands and the United States shall be upon the basis prescribed in section 6.

"(f) The public debt of the Philippine Islands and its subordinate branches shall not exceed limits now or hereafter fixed by the Congress of the United States; and no loans shall be contracted in foreign countries without the approval of the President of the United States.

"(g) The debts, liabilities, and obligations of the present Philippine government, its Provinces, municipalities, and instrumentalities, valid and subsisting at the time of the adoption of the constitution, shall be assumed and paid by the new government.

"(h) Provision shall be made for the establishment and maintenance of an adequate system of public schools, primarily conducted in the English language.

"(i) Acts affecting currency, coinage, imports, exports, and immigration shall not become law until approved by the President of the United States.

"(j) Foreign affairs shall be under the direct supervision and control of the United States.

"(k) All acts passed by the legislature of the Commonwealth of the Philippine Islands shall be reported to the Congress of the United States.

"(l) The Philippine Islands recognizes the right of the United States to expropriate property for public uses, to maintain military and other reservations and armed forces in the Philippines, and, upon order of the President, to call into the service of such armed forces all military forces organized by the Philippine government.

"(m) The decisions of the courts of the Commonwealth of the Philippine Islands shall be subject to review by the Supreme Court of the United States as provided in paragraph (6) of section 7.

"(n) The United States may by presidential proclamation exercise the right to intervene for the preservation of the government of the Commonwealth of the Philippine Islands and for the maintenance of the government as provided in the constitution thereof, and for the protection of life, property, and individual liberty and for the discharge of government obligations under and in accordance with the provisions of the constitution.

"(o) The authority of the United States high commissioner to the government of the Commonwealth of the Philippine Islands, as provided in this act, shall be recognized.

"(p) Citizens and corporations of the United States shall enjoy in the Commonwealth of the Philippine Islands all the civil rights of the citizens and corporations, respectively, thereof.

#### "SUBMISSION OF CONSTITUTION TO THE PRESIDENT OF THE UNITED STATES

"SEC. 3. Upon the drafting and approval of the constitution by the constitutional convention in the Philippine Islands, the constitution shall be submitted within two years after the enactment of this act to the President of the United States, who shall determine whether or not it conforms with the provisions of this act. If the President finds that the proposed constitution conforms substantially with the provisions of this act he shall so certify to the Governor General of the Philippine Islands, who shall so advise the constitutional convention. If the President finds that the constitution does not conform with the provisions of this act he shall so advise the Governor General of the Philippine Islands, stating wherein in his judgment the constitution does not so conform and submitting provisions which will in his judgment make the constitution so conform.

The Governor General shall in turn submit such message to the constitutional convention for further action by them pursuant to the same procedure hereinbefore defined, until the President and the constitutional convention are in agreement.

#### "SUBMISSION OF CONSTITUTION TO FILIPINO PEOPLE

"SEC. 4. After the President of the United States has certified that the constitution conforms with the provisions of this act, it shall be submitted to the people of the Philippine Islands for their ratification or rejection at an election to be held within four months after the date of such certification, on a date to be fixed by the Philippine Legislature, at which election the qualified voters of the Philippine Islands shall have an opportunity to vote directly for or against the proposed constitution and ordinances appended thereto. Such election shall be held in such manner as may be prescribed by the Philippine Legislature, to which the return of the election shall be made. The Philippine Legislature shall by law provide for the canvassing of the return and shall certify the result to the Governor General of the Philippine Islands, together with a statement of the votes cast, and a copy of said constitution and ordinances. If a majority of the votes cast shall be for the constitution, such vote shall be deemed an expression of the will of the people of the Philippine Islands in favor of Philippine independence, and the Governor General shall, within 30 days after receipt of the certification from the Philippine Legislature, issue a proclamation for the election of officers of the government of the Commonwealth of the Philippine Islands provided for in the constitution. The election shall take place not earlier than three months nor later than six months after the proclamation by the Governor General ordering such election. When the election of the officers provided for under the constitution has been held and the results determined, the Governor General of the Philippine Islands shall certify the results of the election to the President of the United States, who shall thereupon issue a proclamation announcing the results of the election, and upon the issuance of such proclamation by the President the existing Philippine government shall terminate and the new government shall enter upon its rights, privileges, powers, and duties, as provided under the constitution. The present government of the Philippine Islands shall provide for the orderly transfer of the functions of government.

"If a majority of the votes cast are against the constitution, the existing government of the Philippine Islands shall continue without regard to the provisions of this act.

#### "TRANSFER OF PROPERTY AND RIGHTS TO PHILIPPINE COMMONWEALTH

"SEC. 5. All the property and rights which may have been acquired in the Philippine Islands by the United States under the treaties mentioned in the first section of this act, except such land or other property as has heretofore been designated by the President of the United States for military and other reservations of the Government of the United States, and except such land or other property or rights or interests therein as may have been sold or otherwise disposed of in accordance with law, are hereby granted to the government of the Commonwealth of the Philippine Islands when constituted.

#### "RELATIONS WITH THE UNITED STATES PENDING COMPLETE INDEPENDENCE

"SEC. 6. After the date of the inauguration of the government of the Commonwealth of the Philippine Islands trade relations between the United States and the Philippine Islands shall be as now provided by law, subject to the following exceptions:

"(a) There shall be levied, collected, and paid on all refined sugars in excess of 50,000 long tons, and on unrefined sugars in excess of 800,000 long tons, coming into the United States from the Philippine Islands in any calendar year, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

"(b) There shall be levied, collected, and paid on all coconut oil coming into the United States from the Philippine Islands in any calendar year in excess of 200,000 long tons,

the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

"(c) There shall be levied, collected, and paid on all yarn, twine, cord, cordage, rope and cable, tarred or untarred, wholly or in chief value of manila (abaca) or other hard fibers, coming into the United States from the Philippine Islands in any calendar year in excess of a collective total of 3,000,000 pounds of all such articles hereinbefore enumerated, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

"(d) In the event that in any year the limit in the case of any article which may be exported to the United States free of duty shall be reached by the Philippine Islands, the amount or quantity of such articles produced or manufactured in the Philippine Islands thereafter that may be so exported to the United States free of duty shall be allocated, under export permits issued by the government of the Commonwealth of the Philippine Islands, to the producers or manufacturers of such articles proportionately on the basis of their exportation to the United States in the preceding year; except that in the case of unrefined sugar the amount thereof to be exported annually to the United States free of duty shall be allocated to the sugar-producing mills of the islands proportionately on the basis of their average annual production for the calendar years 1931, 1932, and 1933, and the amount of sugar from each mill which may be so exported shall be allocated in each year between the mill and the planters on the basis of the proportion of sugar to which the mill and the planters are respectively entitled. The government of the Philippine Islands is authorized to adopt the necessary laws and regulations for putting into effect the allocation hereinbefore provided.

"(e) The government of the Commonwealth of the Philippine Islands shall impose and collect an export tax on all articles that may be exported to the United States from the Philippine Islands free of duty under the provisions of existing law as modified by the foregoing provisions of this section, including the articles enumerated in subdivisions (a), (b), and (c), within the limitations therein specified, as follows:

"(1) During the sixth year after the inauguration of the new government the export tax shall be 5 per cent of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

"(2) During the seventh year after the inauguration of the new government the export tax shall be 10 per cent of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

"(3) During the eighth year after the inauguration of the new government the export tax shall be 15 per cent of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

"(4) During the ninth year after the inauguration of the new government the export tax shall be 20 per cent of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

"(5) After the expiration of the ninth year after the inauguration of the new government the export tax shall be 25 per cent of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries.

"The government of the Commonwealth of the Philippine Islands shall place all funds received from such export taxes in a sinking fund, and such fund shall, in addition to other moneys available for that purpose, be applied solely to the payment of the principal and interest on the bonded indebtedness of the Philippine Islands, its Provinces, municipalities, and instrumentalities, until such indebtedness has been fully discharged.

"When used in this section in a geographical sense, the term 'United States' includes all Territories and possessions of the United States, except the Philippine Islands, the Virgin Islands, American Samoa, and the island of Guam.

"SEC. 7. Until the final and complete withdrawal of American sovereignty over the Philippine Islands—

"(1) Every duly adopted amendment to the constitution of the government of the Commonwealth of the Philippine Islands shall be submitted to the President of the United States for approval. If the President approves the amendment or if the President fails to disapprove such amendment within six months from the time of its submission, the amendment shall take effect as a part of such constitution.

"(2) The President of the United States shall have authority to suspend the taking effect of or the operation of any law, contract, or executive order of the government of the Commonwealth of the Philippine Islands, which in his judgment will result in a failure of the government of the Commonwealth of the Philippine Islands to fulfill its contracts, or to meet its bonded indebtedness and interest thereon or to provide for its sinking funds, or which seems likely to impair the reserves for the protection of the currency of the Philippine Islands, or which in his judgment will violate international obligations of the United States.

"(3) The chief executive of the Commonwealth of the Philippine Islands shall make an annual report to the President and Congress of the United States of the proceedings and operations of the government of the Commonwealth of the Philippine Islands and shall make such other reports as the President or Congress may request.

"(4) The President shall appoint, by and with the advice and consent of the Senate, a United States high commissioner to the government of the Commonwealth of the Philippine Islands who shall hold office at the pleasure of the President and until his successor is appointed and qualified. He shall be known as the United States high commissioner to the Philippine Islands. He shall be the representative of the President of the United States in the Philippine Islands and shall be recognized as such by the government of the Commonwealth of the Philippine Islands, by the commanding officers of the military forces of the United States, and by all civil officials of the United States in the Philippine Islands. He shall have access to all records of the government or any subdivision thereof, and shall be furnished by the chief executive of the Commonwealth of the Philippine Islands with such information as he shall request.

"If the government of the Commonwealth of the Philippine Islands fails to pay any of its bonded or other indebtedness or the interest thereon when due or to fulfill any of its contracts, the United States high commissioner shall immediately report the facts to the President, who may thereupon direct the high commissioner to take over the customs offices and administration of the same, administer the same, and apply such part of the revenue received therefrom as may be necessary for the payment of such overdue indebtedness or for the fulfillment of such contracts. The United States high commissioner shall annually, and at such other times as the President may require, render an official report to the President and Congress of the United States. He shall perform such additional duties and functions as may be delegated to him from time to time by the President under the provisions of this act.

"The United States high commissioner shall receive the same compensation as is now received by the Governor General of the Philippine Islands, and shall have such staff and assistants as the President may deem advisable and as may be appropriated for by Congress, including a financial expert, who shall receive for submission to the high commissioner a duplicate copy of the reports of the insular auditor. Appeals from decisions of the insular auditor may be taken to the President of the United States. The salaries and expenses of the high commissioner and his staff and assistants shall be paid by the United States.



"The first United States high commissioner appointed under this act shall take office upon the inauguration of the new government of the Commonwealth of the Philippine Islands.

"(5) The government of the Commonwealth of the Philippine Islands shall provide for the selection of a Resident Commissioner to the United States, and shall fix his term of office. He shall be the representative of the government of the Commonwealth of the Philippine Islands and shall be entitled to official recognition as such by all departments upon presentation to the President of credentials signed by the chief executive of said government. He shall have a seat in the House of Representatives of the United States, with the right of debate, but without the right of voting. His salary and expenses shall be fixed and paid by the government of the Philippine Islands. Until a Resident Commissioner is selected and qualified under this section, existing law governing the appointment of Resident Commissioners from the Philippine Islands shall continue in effect.

"(6) Review by the Supreme Court of the United States of cases from the Philippine Islands shall be as now provided by law; and such review shall also extend to all cases involving the constitution of the Commonwealth of the Philippine Islands.

"Sec. 8. (a) Effective upon the acceptance of this act by concurrent resolution of the Philippine Legislature or by a convention called for that purpose, as provided in section 17—

"(1) For the purposes of the immigration act of 1917, the immigration act of 1924 (except section 13 (c)), this section, and all other laws of the United States relating to the immigration, exclusion, or expulsion of aliens, citizens of the Philippine Islands who are not citizens of the United States shall be considered as if they were aliens. For such purposes the Philippine Islands shall be considered as a separate country and shall have for each fiscal year a quota of 50. This paragraph shall not apply to a person coming or seeking to come to the Territory of Hawaii who does not apply for and secure an immigration or passport visa, but such immigration shall be determined by the Department of the Interior on the basis of the needs of industries in the Territory of Hawaii.

"(2) Citizens of the Philippine Islands who are not citizens of the United States shall not be admitted to the continental United States from the Territory of Hawaii (whether entering such Territory before or after the effective date of this section) unless they belong to a class declared to be nonimmigrants by section 3 of the immigration act of 1924 or to a class declared to be nonquota immigrants under the provisions of section 4 of such act other than subdivision (c) thereof, or unless they were admitted to such Territory under an immigration visa. The Secretary of Labor shall by regulations provide a method for such exclusion and for the admission of such excepted classes.

"(3) Any Foreign Service officer may be assigned to duty in the Philippine Islands, under a commission as a consular officer, for such period as may be necessary and under such regulations as the Secretary of State may prescribe, during which assignment such officer shall be considered as stationed in a foreign country; but his powers and duties shall be confined to the performance of such of the official acts and notarial and other services, which such officer might properly perform in respect of the administration of the immigration laws if assigned to a foreign country as a consular officer, as may be authorized by the Secretary of State.

"(4) For the purposes of sections 18 and 20 of the immigration act of 1917, as amended, the Philippine Islands shall be considered to be a foreign country.

"(b) The provisions of this section are in addition to the provisions of the immigration laws now in force, and shall be enforced as a part of such laws, and all the penal or other provisions of such laws, not inapplicable, shall apply to and be enforced in connection with the provisions of this section. An alien, although admissible under the provisions

of this section, shall not be admitted to the United States if he is excluded by any provision of the immigration laws other than this section, and an alien, although admissible under the provisions of the immigration laws other than this section, shall not be admitted to the United States if he is excluded by any provision of this section.

"(c) Terms defined in the immigration act of 1924 shall, when used in this section, have the meaning assigned to such terms in that act.

"Sec. 9. There shall be no obligation on the part of the United States to meet the interest or principal of bonds and other obligations of the government of the Philippine Islands or of the Provincial and municipal governments thereof, hereafter issued during the continuance of United States sovereignty in the Philippine Islands: *Provided*, That such bonds and obligations hereafter issued shall not be exempt from taxation in the United States or by authority of the United States.

"RECOGNITION OF PHILIPPINE INDEPENDENCE AND WITHDRAWAL OF AMERICAN SOVEREIGNTY

"Sec. 10. On the 4th day of July, immediately following the expiration of a period of 10 years from the date of the inauguration of the new government under the constitution provided for in this act, the President of the United States shall by proclamation withdraw and surrender all right of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States in and over the territory and people of the Philippine Islands, including all military and other reservations of the Government of the United States in the Philippines (except such land or property reserved under section 5 as may be redesignated by the President of the United States not later than two years after the date of such proclamation), and, on behalf of the United States, shall recognize the independence of the Philippine Islands as a separate and self-governing nation and acknowledge the authority and control over the same of the government instituted by the people thereof, under the constitution then in force: *Provided*, That the constitution has been previously amended to include the following provisions:

"(1) That the property rights of the United States and the Philippine Islands shall be promptly adjusted and settled, and that all existing property rights of citizens or corporations of the United States shall be acknowledged, respected, and safeguarded to the same extent as property rights of citizens of the Philippine Islands.

"(2) That the officials elected and serving under the constitution adopted pursuant to the provisions of this act shall be constitutional officers of the free and independent government of the Philippine Islands and qualified to function in all respects as if elected directly under such government, and shall serve their full terms of office as prescribed in the constitution.

"(3) That the debts and liabilities of the Philippine Islands, its Provinces, cities, municipalities, and instrumentalities, which shall be valid and subsisting at the time of the final and complete withdrawal of the sovereignty of the United States, shall be assumed by the free and independent government of the Philippine Islands; and that where bonds have been issued under authority of an act of Congress of the United States by the Philippine Islands, or any Province, city, or municipality therein, the Philippine government will make adequate provision for the necessary funds for the payment of interest and principal, and such obligations shall be a first lien on the taxes collected in the Philippine Islands.

"(4) That the government of the Philippine Islands, on becoming independent of the United States, will assume all continuing obligations assumed by the United States under the treaty of peace with Spain ceding said Philippine Islands to the United States.

"(5) That by way of further assurance the government of the Philippine Islands will embody the foregoing provisions (except paragraph (2)) in a treaty with the United States.

## "NEUTRALIZATION OF PHILIPPINE ISLANDS"

"SEC. 11. The President is requested, at the earliest practicable date, to enter into negotiations with foreign powers with a view to the conclusion of a treaty for the perpetual neutralization of the Philippine Islands, if and when Philippine independence shall have been achieved.

## "NOTIFICATION TO FOREIGN GOVERNMENTS"

"SEC. 12. Upon the proclamation and recognition of the independence of the Philippine Islands, the President shall notify the governments with which the United States is in diplomatic correspondence thereof and invite said governments to recognize the independence of the Philippine Islands.

## "TARIFF DUTIES AFTER INDEPENDENCE"

"SEC. 13. After the Philippine Islands have become a free and independent nation there shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from other foreign countries: *Provided*, That at least one year prior to the date fixed in this act for the independence of the Philippine Islands there shall be held a conference of representatives of the Government of the United States and the government of the Commonwealth of the Philippine Islands, such representatives to be appointed by the President of the United States and the chief executive of the Commonwealth of the Philippine Islands, respectively, for the purpose of formulating recommendations as to future trade relations between the Government of the United States and the independent government of the Philippine Islands, the time, place, and manner of holding such conference to be determined by the President of the United States; but nothing in this proviso shall be construed to modify or affect in any way any provision of this act relating to the procedure leading up to Philippine independence or the date upon which the Philippine Islands shall become independent.

## "IMMIGRATION AFTER INDEPENDENCE"

"SEC. 14. Upon the final and complete withdrawal of American sovereignty over the Philippine Islands the immigration laws of the United States (including all the provisions thereof relating to persons ineligible to citizenship) shall apply to persons who were born in the Philippine Islands to the same extent as in the case of other foreign countries.

## "CERTAIN STATUTES CONTINUED IN FORCE"

"SEC. 15. Except as in this act otherwise provided, the laws now or hereafter in force in the Philippine Islands shall continue in force in the Commonwealth of the Philippine Islands until altered, amended, or repealed by the Legislature of the Commonwealth of the Philippine Islands or by the Congress of the United States, and all reference in such laws to the Philippines or Philippine Islands shall be construed to mean the government of the Commonwealth of the Philippine Islands. The government of the Commonwealth of the Philippine Islands shall be deemed successor to the present government of the Philippine Islands and of all the rights and obligations thereof. Except as otherwise provided in this act, all laws or parts of laws relating to the present government of the Philippine Islands and its administration are hereby repealed as of the date of the inauguration of the government of the Commonwealth of the Philippine Islands.

"SEC. 16. If any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the act and the applicability of such provisions to other persons and circumstances shall not be affected thereby.

## "EFFECTIVE DATE"

"SEC. 17. The foregoing provisions of this act shall not take effect until accepted by concurrent resolution of the Philippine Legislature or by a convention called for the

purpose of passing upon that question as may be provided by the Philippine Legislature."

And the Senate agree to the same.

BUTLER B. HARE,  
GUINN WILLIAMS,  
HAROLD KNUTSON,

*Managers on the part of the House.*

HIRAM BINGHAM,  
HIRAM W. JOHNSON,  
BRONSON CUTTING,  
KEY PITTMAN,  
HARRY B. HAWES.

*Managers on the part of the Senate.*

## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 7233) to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands, to provide for the independence of the same, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause. The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for both the House bill and the Senate amendment. The essential differences between the House bill and the Senate amendment, and the nature of the corresponding provisions of the substitute agreed upon by the conferees, are set forth as follows:

## TIME FOR SUBMISSION OF CONSTITUTION

The House bill did not specify the period within which the constitutional convention to ratify the constitution should meet. The Senate amendment provides that the convention shall meet within one year after the enactment of the act. The conference agreement retains the Senate provision.

The House bill did not specify the period within which the constitution should be submitted to the President of the United States. The Senate amendment requires the constitution to be submitted within two years after the enactment of the act. The effect of the conference agreement is to retain the Senate provision.

## DATE OF INDEPENDENCE

The House bill provided for the recognition of Philippine independence and withdrawal of American sovereignty on the 4th day of July immediately following the expiration of a period of eight years from the date of the inauguration of the government of the Commonwealth of the Philippine Islands. The Senate amendment provides that this shall take place on the 4th day of July immediately following the expiration of a period of 12 years from the date of the inauguration of the government of the Commonwealth of the Philippine Islands. The bill as agreed to in conference fixes this period at 10 years.

The Senate amendment provided that a favorable vote on the ratification of the constitution for the government of the Commonwealth of the Philippine Islands should be deemed an expression of the will of the people of the Philippine Islands in favor of independence. There was no corresponding provision in the House bill. The conference agreement retained the substance of the Senate provision.

## PROPERTY RIGHTS

Under the House bill there was transferred to the Commonwealth of the Philippine Islands all property and rights acquired by the United States in the Philippine Islands except such land or other property as is now actually occupied and used by the United States for military and other reservations. In lieu of the House provision, the Senate amendment excepts from this grant land or other property which has heretofore been designated by the President of



the United States for military and other reservations. The conference agreement adopts the Senate provision.

The House bill provided that upon the final withdrawal of the sovereignty of the United States the government of the Philippine Islands should cede or grant to the United States land necessary for a commercial base, coaling or naval stations at specified points to be agreed upon between the President of the United States and the independent Philippine government within two years after recognition of independence. The Senate amendment provides that the government of the Philippine Islands should sell or lease to the United States such lands.

The effect of the conference agreement is to reserve to the United States, upon final withdrawal of the sovereignty of the United States from the Philippine Islands, such land or other property which has heretofore been designated for military and other purposes as may be redesignated by the President of the United States within two years after the date of independence.

#### TRADE RELATIONS

The House bill provided that during the eight years of existence of the Philippine Commonwealth the amount of refined sugar that could come into the United States annually free of duty should be limited to 50,000 long tons, of unrefined sugar to 800,000 long tons, and of coconut oil to 200,000 long tons. The Senate amendment limits these amounts to 30,000 long tons, 585,000 long tons, and 150,000 long tons, respectively; and provides for a graduated export tax of 5 per cent of the United States tariff duties on articles that might be exported to the United States from the Philippine Islands free of duty, beginning with the eighth year after the inauguration of the Philippine Commonwealth and increasing by 5 per cent each year over a period of five years, after which it remains at 25 per cent until independence is granted. Funds received from such export taxes are to be placed in a sinking fund for the discharge of the indebtedness of the Philippine Islands, its Provinces, municipalities, and instrumentalities.

The effect of the conference agreement is to adopt the limitations specified in the House bill and to retain the substance of the Senate provision relating to export taxes, modified to begin the application of the export taxes with the sixth year after the inauguration of the Philippine Commonwealth. This modification is in conformity with the action of the conference in fixing the time for final independence at 10 years.

#### IMMIGRATION

The House bill provided for an immigration quota of 50 for the Philippine Islands during the interim period, but did not exclude Filipinos ineligible to citizenship. The House provision was to be effective 60 days after the enactment of the act. The Senate amendment provides a quota of 100, with the provision that no person ineligible to citizenship should be admitted under such quota and made the section effective upon acceptance of the act by the Philippine Legislature or by a convention called for that purpose. The conference agreement omits the Senate provision excluding prior to independence Filipinos ineligible to citizenship, but retains the quota of 50 fixed in the House bill with the effective date as provided in the Senate amendment. The Senate amendment contains a provision to the effect that immigration to the Territory of Hawaii should be determined by the Department of the Interior on the basis of the needs of industries in the Territory of Hawaii. The conference agreement retains this provision.

The Senate amendment contains a provision to the effect that upon the final and complete withdrawal of American sovereignty the immigration laws should apply to the Philippine Islands to the same extent as in the case of other foreign countries; with the exception that the Philippine Islands should have a quota of 100 persons eligible to citizenship. The conference agreement retains the Senate provision, eliminating the quota and providing specifically that the immigration laws relating to persons ineligible to citizenship should apply to the Philippine Islands.

#### BONDS AND OBLIGATIONS OF PHILIPPINE GOVERNMENT

The Senate amendment contains a provision to the effect that the United States should not be obligated to meet the interest or principal of bonds or other obligations hereafter issued by the Philippine government or its subdivisions, and providing that such bonds and obligations should not be exempt from taxation in or by the United States. The conference agreement retains the substance of this provision.

#### NEUTRALIZATION

The Senate amendment contains a provision by which the President is requested to enter into negotiations with a view to the conclusion of a treaty for the neutralization of the Philippine Islands after independence. The bill as agreed to in conference retains this provision.

#### EFFECTIVE DATE

The Senate amendment provides that the act should not take effect until accepted by concurrent resolution of the Philippine Legislature or by a convention called for that purpose. The bill as agreed to in conference retains this provision.

BUTLER B. HARE,  
GUINN WILLIAMS,  
HAROLD KNUTSON,

*Managers on the part of the House.*

#### ADJOURNMENT OVER

Mr. RAINEY. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

*Resolved*, That when the House adjourns on Friday, December 30, 1932, it stand adjourned until 12 o'clock meridian, Tuesday, January 3, 1933.

The resolution was agreed to.

On motion of Mr. RAINEY, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

#### PHILIPPINE INDEPENDENCE

Mr. HARE was recognized.

Mr. KNUTSON. Before we take up the consideration of the conference report, Mr. Speaker, I am wondering if the gentleman from South Carolina would not agree to a little more time than an hour, because of the fact that the original legislation was put through the House under suspension of the rules, which allowed only 40 minutes' debate. There are a number on this side who wish to be heard on the question, and I am satisfied that there will be a demand for more than 30 minutes on a side. I ask unanimous consent that we have one hour on each side.

Mr. UNDERHILL. Reserving the right to object, Mr. Speaker, I want to protest. The gentleman from Minnesota resorted to a subterfuge during the passage of this legislation by telling the House that he was opposed to the bill and then voting for it later on. If there is going to be any division of the time, it should be between those opposed to the legislation and those in favor of it. I think the gentleman shows a colossal nerve in asking for an extension of the time. Personally I think an hour is sufficient to dispose of this matter at this stage.

The SPEAKER. Objection is heard. The gentleman from South Carolina is recognized for one hour.

Mr. SNELL. Mr. Speaker, do I understand the gentleman from South Carolina is going to move the previous question at the end of the hour?

The SPEAKER. Let the Chair make this suggestion: The Chair presumes that before the hour expires he will move the previous question.

Mr. SNELL. I do not know that we want any more time, but, if necessary, I think we should have more time. It is an important matter.

The SPEAKER. At the end of the hour, if the situation is such that they want more time, the gentleman from South Carolina or some other gentleman can ask unanimous consent to extend the time 30 minutes and let the previous question be considered as ordered.

Mr. SNELL. That will be all right if we find that we need more time.

The SPEAKER. The Chair suggests that we proceed for 1 hour, and then if 30 minutes more time is needed some one will ask unanimous consent for an extension.

Mr. HARE. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. HOOPER].

Mr. HOOPER. Mr. Speaker, I presume that this bill will pass the House without question at the conclusion of the debate. It is not my intention in the 10 minutes accorded me by my good friend from South Carolina, chairman of the committee, to go into an analysis of the conference report.

I expect to vote for this conference report, and I expect to vote for it for one reason and one alone, and that is that if the conference report is not adopted now, the next Congress, the Seventy-third, we will get a bill infinitely worse than this one with which we are dealing, and God knows this is bad enough.

Mr. DYER. Will the gentleman state what he means by "this is bad enough"?

Mr. HOOPER. I will state. I mean that it will be worse for everybody. I mean that if this bill is not passed now, if it does not become a law, if there is an Executive veto, some gentleman will put in a bill that will be carried by the next Congress freeing the Philippine Islands on the next 4th of July with all the international complications that that will involve.

Before I say anything further, I pause to pay a compliment to the very splendid chairman of this committee, the distinguished gentleman from South Carolina [Mr. HARE]. [Applause.] He has been a splendid chairman, and he has brought high intelligence to the study of this question, although I disagree with him on some of its phases. I think he made a real contribution to the subject by his trip to the Philippine Islands last year and by bringing back from that distant clime the information which he gave and which was published in the Record recently.

Also, I am glad to pay a sincere compliment to the two very fine Commissioners from the Philippine Islands, who will see to-day now the fruition of their service here and of the fine work performed for their own country. [Applause.] I think that Mr. GUEVARA, by his talk in the House two days ago, also gave us much additional and valuable information on the question.

Mr. Speaker, I can not help here and now entering again a protest which I have already voiced to the manner in which this tremendously important question has been treated. Are we not getting a little bit careless in the House of Representatives of the United States, in so far as the way with which we deal with great questions is concerned? The other day we devoted two days to a discussion of the comparatively trivial question of beer, while on the first day of the session, when we sought to submit to the country the repeal of a constitutional amendment—for which, by the way, I voted—we gave to it 40 minutes of discussion. Forty minutes to a constitutional question! The like of that has never occurred in the 150 years of the history of the United States, and I hope it may never occur again. Last year, when we were dealing with the welfare not only of our own country but of 13,000,000 people in those distant islands, we gave to the consideration of the bill now before us when it came before the House of Representatives 20 minutes' discussion to a side. Twenty minutes to the side upon questions involving the happiness of 13,000,000 of our fellow human beings, who for more than 30 years have been under the wing of our protection! Yet this bill must be passed. It is absolutely necessary in the spirit that there is in the Nation to-day that this bill must become a law. Let it come. I would not be one of those who would wish to hold in subjection any race of people if they felt they were being held in subjection. I think that we have several races in the United States to whom we have not given half the attention or half the thought that we have to the people of the Philippine Islands. But, as I say, I am going to vote for this conference report.

We have been in control of the Philippine Islands since 1899. There is no partisan question about it, but I remember the story of those days and how the ratification of the treaty of Paris became possible through the coming to the Senate of William Jennings Bryan, still in his soldier's uniform, and his urging on the Members of Congress of the United States the ratification of that treaty. During that short time, in a period of 30 years, these islands have acquired a uniformity of language among the educated people of the islands everywhere, and instead of long-continued turbulence and war they have had peace. Instead of the conditions which surrounded them everywhere through Asia, they have had comparative prosperity. We know very little about the attitude of that citizen of the Philippine Islands who lives away back from the populous centers of his country. We are embarking upon something here to-day the end of which no man can see.

A serious question has been raised in the Senate, a very serious one, as to the right of the people of this country or the Congress of the United States to alienate the Philippine Islands at all. I am not raising that question here to-day. I have satisfied myself, so far as I am concerned, that the right to purchase involves also probably the right to relinquish. And we are entering also, perhaps, upon a period of 10 years of turbulence, as far as our relations with these islands and the East are concerned. The international complications raised by the passage of this bill are far beyond the ken of man to-day.

I am not deceiving myself for a moment as to the altruism of this Congress in passing this bill and I know that you are not enjoying what I am saying about it. There is no altruism about it. It comes from a specious idea that somehow or other this is going to give to the farmers of this country farm relief. It is going to do nothing of the kind. The trade between the Philippine Islands and the people of our own country is only a drop in the bucket compared with our other national and international trade. But let the people of the Philippine Islands go at the end of the 10 years if they desire to do so, let them depart in peace, for they are a fine, kindly people, whose representatives here show to us in their everyday living and work what a kind, splendid people they are. Whether they are right for self-government is a much-mooted question. Whether they are yet in a position to set up an independent nation among the family of oriental nations time alone will prove. To-day, after a 40-minute debate when the bill originally came before the House and an hour or more here on this conference report, we are casting away these oriental pearls that have been ours for more than 30 years past. They will set up an independent government. They will, we believe, set up a republican form of government, but when they look back in the years that are to come upon the altruism of the United States as exemplified in our conduct toward them during all these years, when they come into contact with the Asiatic altruism of China and Japan, which they have not known or experienced for 30 years past, then perhaps the people of these lovely islands will look back with regret to the day when they severed finally their relations with a nation which has taken them, not as a conquered province, not as a place to exploit, but as wards to be nurtured and educated. Mr. Speaker, this is a very solemn occasion. [Applause.] It is unique in the history of the world.

I can remember no other example of a great and powerful nation voluntarily relinquishing that which it had acquired by both conquest and purchase.

On this historical occasion the diplomatic corps should have been invited to the gallery to witness this extraordinary specimen of "altruism"—the rather sordid altruism of the sugar and copper interests rather than the altruism of unselfishness. You may be sure at least that the eyes of diplomats are watching with but little altruism the step we are taking to-day; but that is the lookout of the Philippine Islands, not ours.

Mr. HARE. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. UNDERHILL].



Mr. UNDERHILL. Mr. Speaker, I am in agreement with almost all that my colleague from Michigan [Mr. HOOPER] has said to the House this afternoon. I can join with him heartily, without the necessity of repeating his tribute to the Philippine Delegates, to the chairman of the committee, and to the general conduct of the majority of the committee who are opposed to his view and to mine. I differ with the gentleman, however, in this respect, that I can not compromise with my conscience, even because something in the distant future or the near future may bring greater evils, may bring greater suffering, may bring greater terrors than this piece of legislation.

It needs no prophet nor the son of a prophet to say that this bill will pass the House. Personally I think the conference report has improved the bill, but I can not vote for the conference report without voting for the bill itself; and perhaps, somewhat as a confession to my own ego, I am making a few useless remarks in order that the future may write me down as right, rather than following expediency, when I know full well in my heart that this is an injustice to the Philippines, unfair to the United States, un-Christian, uncivilized, and will bring more trouble and more woe to this world of ours than anyone here can conceive of at the present time.

Madame Roland, when standing in the shadow of the guillotine in France, exclaimed, "O Liberty! how many crimes are committed in thy name!" It well might be repeated on this floor to-day. Under the guise of liberty, the liberation of the people of the Philippines—who suffer no indignities, who suffer no despotism, who are treated with far greater liberality and freedom than the people of the mainland are—under the guise of liberty or, in the words of my colleague, under the guise of altruism, we grant these 15,000,000 people liberty and death. There is no question but what they are able to govern themselves; but there is a question, and every Member of this House, irrespective of his attitude, knows that there is a question, whether they can finance themselves. I do not believe there is a Member of this House who will say that under the provisions of this bill the Philippines can take its place in the nations of this world and carry on the absolute essentials of a government for the protection of those within its own borders, let alone those outside which may attack it. After all, if it is practical, if it is a departure from altruism, is it not a wise departure? Is it not for wise practicability?

Mr. Speaker, I feel very strongly about this, for I myself visited the Philippines and I find them a proud, courteous, and hospitable people. It seems almost as though I were false to them to take this attitude to-day on the floor of the House, but it is my knowledge of their few weaknesses, one of which is their very pride of race, one of which is the economic situation with which I am familiar, that I offer my protest to-day at the approaching action of the House.

I can not say any more. It is useless to say any more. This thing was threshed out in a very brief time. At that time I stated that it was a tragedy, a travesty to settle the affairs of 15,000,000 people, to establish a nation of the world in 40 minutes with the expectation of its continuance forever; that we really were not actuated by our best judgment, but that we were going ahead blindly and that we could only be forgiven because we were doing that of which we knew not the consequences, and I repeat to-day that no one here has a right to stultify his conscience in voting for this measure to save the Philippines from a worse fate.

I can not say that the next Congress is going to run wild, that the next President of the United States is void of intelligence or void of good judgment or unaware of the real conditions. I would much rather take a chance in the next Congress, after due deliberation of all of the questions, than to pass this bill to-day after 1 hour and 40 minutes' debate, when I know full well, and you know full well, that it is not altruism which governs our action, but temporary mob psychology, because of the propaganda, engineered by certain farm organizations and those who are living here at their expense in the Willard and in the Mayflower, and who

have to find some activity to hold their jobs. Therefore they try to frighten the farmer that the small amount of sugar which comes here from the Philippines, that the oil products which come from the Philippines, are a detriment to his interest. They say nothing whatever about the fact that it is only in the Philippines that we have had a large increase of textile imports; that we have had a large increase in imports of dairy products.

Those are two farm products, the cotton of the South and the dairy products of the Northwest. Still we are going to close that market, and you will not find another market to take up that amount of surplus. I say to you, you are injuring yourselves; you are injuring the Philippines; and I would go farther if it would not be a reflection upon your good judgment and integrity, and say that I think you have not properly considered your oath of office when you promised to support the Constitution of the United States. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. HARE. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Speaker, the gentleman from Massachusetts [Mr. UNDERHILL] seems to share a great deal of apprehension over the ability of the Philippine people to finance themselves. If that be the yardstick by which we are to measure a people's capacity for self-government, then what about the United States, which is running behind something like \$5,000,000 a day?

Mr. Speaker, this conference report is not satisfactory to anyone. It is a compromise. The proponents of early independence were not satisfied with its provisions; neither were its opponents, but it was the best possible compromise that could be worked out under the circumstances.

There is one provision in the conference report to which I object very seriously, and that is the retention of the Senate amendment which provides that this legislation shall not go into effect until it has been ratified by the Philippine Legislature or a convention convoked for the specific purpose of considering the question of independence. In other words, under the compromise reached between the two Houses, the question of independence, or the time when the Filipinos are to be given their independence, is very indefinite. In fact, it rests with the Filipino people themselves as to whether or not they wish to be free from any connection with this country, and I submit that the interests of the American people, as well as of the Filipino people themselves would have been better served had the Senate provision not been retained by the conference committee.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. SNELL. As I understand the provisions of the conference report, the Filipino people must adopt a constitution within two years, and then there is an 8-year period within which, to a certain extent, they are still under our supervision.

Mr. KNUTSON. Yes; that is true.

Mr. SNELL. Just how far do our obligations go in taking care of these people during this 8-year period? For instance, as I understand it, during that time they have complete right to make their own domestic and foreign policies. Is this correct?

Mr. KNUTSON. No; that is not quite correct.

Mr. SNELL. That is what I am trying to ascertain.

Mr. KNUTSON. We retain supervision over the Philippine people until they become absolutely free and independent. The gentleman mentions an 8-year period. It is a 10-year period.

Mr. SNELL. Is it 10 years after the adoption of the constitution?

Mr. KNUTSON. Ten years after the ratification of this legislation by the Philippine Legislature or the constitutional convention, if I may so term it, convoked for the purpose of considering it.

Mr. SNELL. The bill says when ratified by a constitutional convention, does it not?

Mr. KNUTSON. Yes; but I will say either one.

Mr. SNELL. Either one?

Mr. KNUTSON. Either one; it is up to them, and if they take a thousand years to ratify this legislation, of course, the present status will remain for a thousand years. There is where this legislation is deficient.

Mr. SNELL. It seems to me from a reading of this report that the constitution is to be submitted within two years after the enactment of this act. What is the situation if they do not submit a constitution within two years after the passage of this act?

Mr. KNUTSON. If the gentleman will refer to section 17 of the bill—I have not the exact phraseology before me—he will see that it provides that it shall not go into effect until it has been ratified by the Philippine Legislature. So the fear that has been displayed by my very good friend from Massachusetts seems to me to be without very much foundation.

[Here the gavel fell.]

Mr. HARE. Mr. Speaker, I yield two minutes to the gentleman from Florida [Mr. YON].

Mr. YON. Mr. Speaker and Members of the House, down in my district I have been facetiously dubbed the "liberator of the little Filipinos" by some of those that would misrepresent the aspirations of these people, and I am mighty glad of the opportunity to-day to participate in what I hope to be a piece of legislative proceeding that will bring about this result. It is a great pleasure to me that we have arrived at this historic moment in the history—not only of our Nation but that of a people 7,000 miles across the sea from the western shores of this Republic—in which we, as the House of Representatives, now are about to write, I hope, the last chapter in regard to Philippine independence.

For over 30 years the Philippine people have prayed to this Nation for the opportunity of assuming their full responsibility in the family of nations. This action to-day on the part of the House is in keeping with the frequent expression of the platform of the Democratic Party and in keeping with the promise made by statesmen of both parties from the time that the American Government assumed the responsibility in regard to these people.

Of course many questions of economic welfare as they affect the agricultural and laboring interests of this country have been brought into the discussions, not only on the floor but before the committees of the Congress that have been held responsible for framing legislation looking to this end. Of course, I myself have always felt that the United States should not hold a subject people against their will. The Filipinos have been patient, and they are fully appreciative of the help and friendly cooperation that has been given them by the American people; but, as I have said before, the economic status of the people of the United States, especially those in agriculture and those that are laboring in industry, has caused them to feel for some years that the free importation of Philippine products and unrestricted immigration from the islands to this country has created friction that I feel will be brought to an end by the passage of this legislation and a free and independent republic set up in place of the present arrangement. My idea has been that to avert any further controversy along these economic lines, and to fulfill a promise of long standing and injustice to a liberty-loving people, that independence so long sought after by the Filipinos is being granted in this legislation; and its passage, I believe, is fair and just to their future economic life and guarantees to them the opportunity of setting up a government that will fulfill the ideals of a democratic people. In so far as the local representatives in the persons of the Resident Commissioners, PEDRO GUEVARA and CAMILO OSTIAS, and also of the special independence commissions headed by Manuel Roxas and Sergino Osmena, that have been in Washington since I have been here, will say that they have proven themselves to be men of patriotic impulses, and I feel are fully capable of leadership in framing a constitution and setting up a government that will do justice to the people of that nation. When independence becomes a fact there will be a better understanding be-

tween our producers and the Filipino people, and since our agricultural interests have been so strong for this legislation, in so far as the competition from those products with the similar products of this country is concerned, that will be eliminated.

In closing will say that my position in supporting the Hare bill in the House on the original passage was maliciously and falsely misrepresented by the selfish politicians in my own district, when they claimed that the free importation into this country during the period of eight years of a limited tonnage of coconut oil—as against, as now, an unlimited quantity—in supporting the bill, as every other Democrat on the floor did that, I was supporting a measure that was entirely detrimental to the interests of the farmers of this country, and especially the cottonseed and peanut growers of my territory, and, as you all know, was as far from the truth as any statement could be, for the Members of this House of the agricultural States have before the Insular Affairs Committee and on the floor supported this legislation urging and setting forth its possible benefits to labor and agriculture. To agriculture on account of the limitation for eight years, and after that making subject to tariff rates the Philippine products the same as the same kind of products from other countries, and labor on account of restrictions imposed as to immigration.

Therefore, for the foregoing reasons, and adding to same that of justice to 13,000,000 people, as I have said before, that we promised this action, I am supporting this legislation and hope the conference report will be adopted. [Applause.]

Mr. HARE. Mr. Speaker, in order to facilitate consideration of this report I ask unanimous consent that all Members may have five legislative days within which to extend their remarks on this subject.

The SPEAKER pro tempore (Mr. WOODRUM). Is there objection to the request of the gentleman from South Carolina?

Mr. DYER. Mr. Speaker, reserving the right to object, merely to ask the gentleman a question, will not the gentleman from South Carolina, the chairman of the committee, take the floor and tell us exactly what this conference report means? There is a great deal of misunderstanding about it.

Mr. HARE. Will the gentleman yield me the time I planned to yield him for that purpose?

Mr. DYER. The gentleman can ask for more time, and I am sure he will be able to get it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HARE. Mr. Speaker, I yield myself the balance of the time, if necessary.

Mr. TABER. Mr. Speaker, will the gentleman yield to me before he starts?

Mr. HARE. Yes.

Mr. TABER. I notice under paragraph (e) of page 5, of the report that during the sixth year after the inauguration of the new government the export tax shall be 5 per cent of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries. Paragraph (a) on the previous page, under section 6, in fact, paragraphs (a), (b), and (c) provide the amounts that shall be levied. Now, does it mean that under the 6-year plan only 5 per cent of the duty shall be collected while during the earlier years the full duty shall be collected after the exemption?

Mr. HARE. If the gentleman will permit, I would like to answer that when it is reached in the regular order. I may say that I share with many Members of the House the idea that not sufficient time, probably, has been given to a discussion of this great problem. However, we get a certain amount of consolation out of the fact that while we spent only 40 minutes in a discussion of the question originally, since that time the bill was debated at the other end of the Capitol, by the Senate, for about three weeks, and at the end of that time I think the House may congratulate itself in that upon the conclusion of the debate at the last session



and this session the Senate adopted substantially the principles involved in the provisions of the House bill. [Applause.]

I would like to undertake an explanation of each section of the bill, but time will not permit. I am sure Members of the House have studied all of its provisions and I am sure they are ready to vote one way or the other.

I shall be glad to answer the question propounded by the gentleman from New York—

Mr. SNELL. If the gentleman will permit, I would like to ask him the same question I asked the gentleman from Minnesota.

As I read the report, it is stated that the Senate amendment requires the constitution to be submitted within two years after the enactment of this measure. Do I understand from this statement that it must be submitted and adopted or just submitted and then it may go along for a number of years?

Mr. HARE. The constitution, according to the section referred to, must be submitted to the President within two years after the enactment of this act upon the drafting and approval of the constitution by the convention. If the President finds that the constitution conforms with the provisions of this act, it will then be submitted for ratification or rejection by the Filipino people. If rejected, then this legislation, in so far as independence is concerned, becomes null and void.

Mr. SNELL. That is the way I understood it, but the gentleman from Minnesota did not seem to understand it in the same way. I have one more question along the same line. During the eight years following, just what are our obligations to the Filipino people after the adoption of the constitution?

Mr. HARE. The obligations are just as they are now during the transitional period.

Mr. SNELL. By that the gentleman means we have complete control?

Mr. HARE. Absolutely; especially in foreign affairs. The Philippine Commonwealth, of course, will be more autonomous than the present government of the Philippines.

Mr. SNELL. And we are responsible for everything connected with their government exactly as we are at the present time.

Mr. HARE. No; we are not responsible for certain obligations assumed after the passage of this act. Bonds and other obligations incurred after the passage of this act and during the transitional period will be solely upon the credit of the Philippine Islands and the United States will not be responsible for the interest thereon.

Mr. SNELL. How far are we to be responsible for their domestic or foreign policies during this period?

Mr. HARE. We are not responsible any farther than we are at present.

Mr. SNELL. Are we not entirely responsible for them at present?

Mr. HARE. Under the present status matters of the kind referred to must be submitted to the President of the United States for approval or ratification.

Mr. SNELL. And during this time the same procedure will be followed?

Mr. HARE. Yes; they will be submitted to the President for ratification.

Mr. SNELL. If there should be any trouble or outbreak between any foreign nation and the Philippines or anything of that sort in the Far East, we are obliged to defend the Philippines the same as we are at the present time?

Mr. HARE. We would be under the same obligation.

Mr. SNELL. And that obligation would be to defend them and to take care of them?

Mr. HARE. Yes; that is my understanding.

Mr. LaGUARDIA. If the gentleman will permit a question along that line, during this period, of course, the Philippines would have no diplomatic corps of their own?

Mr. HARE. No.

Mr. LaGUARDIA. They would not have that until they attained complete independence?

Mr. HARE. That is correct.

Mr. LaGUARDIA. Therefore, we would have the same moral obligation?

Mr. WILLIAMS of Texas. If the gentleman will permit, in answer to the gentleman from New York [Mr. SNELL] the gentleman said that the same relation would exist as at present. There is this difference, that during the interim importations, free of duty, from the Philippine Islands and this country are restricted.

Mr. SNELL. To a certain extent.

Mr. WILLIAMS of Texas. To 850,000 tons of sugar and 200,000 tons of vegetable oil.

Mr. SNELL. And the limitation applies only to those two items.

Mr. LaGUARDIA. Surely, that is unimportant.

Mr. HARE. I would like to explain a little further, because there seems to be some misunderstanding with reference to the limitations on certain Philippine products.

Let me say at the outset that when our committee began the consideration of this subject, we did not know how long a period the Congress would agree upon before independence should be granted.

There were some of us who thought that five years would be sufficiently long, and there were others who thought a lesser time would be sufficient. There were others who thought it should be 10 years, some 15 years, some 20 years, and some even longer than that. So in order that we might be able to determine whether or not the Filipino people would be able at the end of this period to carry on, we felt that we should take some interest in the matter and devise some plan or some scheme whereby we could be assured they could continue their business activities with the least possible shock to the economic structure of the nation at the end of the transition period. We felt that if a period of eight years were decided upon by Congress that instead of allowing free trade to continue for the entire period the producers and those interested in industry would attempt in the meantime to increase production to such proportions that at the end of the transitional period such producers would be in a poorer position to adjust themselves to the new conditions than they are at present. We felt, therefore, that a limitation should be placed upon some of their crops, particularly their exportable crops, such as sugar and coconut oil.

I can best explain the idea I am trying to convey by giving an illustration. In my mind I could see a planter in the Philippine Islands with 25 acres planted to sugarcane, and I may stop here long enough to say that the increase in sugar production in the Philippine Islands for the last several years is not the result of increased acreage, but is largely the result of better cultural methods, better varieties of cane, and the use of better machinery for extracting the sugar from the cane. This is really responsible for the marked increase in production.

We will say that this 25-acre planter produced 100 tons of cane sugar last year. The theory on which the committee acted was that we would allow him to produce and ship free of duty 100 tons of cane sugar for the next five years. So if he has been making a living in this line of business, he can continue; if he has been making money, he can continue; that is, we will leave him as we find him to-day. In other words, we will take the status quo as to his production to-day and allow it to stand as it is and to continue during the transitional period.

Any increase above 100 tons would be subject to a tariff, as a similar product of any other country would be. We felt that the inclination of this farmer after the passage of this act would be to increase his yield per acre by better culture and better seed selection, so that the next year or the year following he might produce 110 tons, in which case he would have 100 tons to ship free of duty and the 10 tons additional would be subject to the tariff. The shipment of the 100 tons would enable him to proceed in the same manner as heretofore, and he could afford to pay the duty on the 10 tons because of the decreased cost of production per unit.

We felt that in five or eight years this particular farmer would be producing 150 tons of cane sugar at the same expense that he had been producing 100 tons heretofore.

It is easy to see, therefore, that the cost of production per unit would be decreased to such an extent that at the end of the transitional period, when sovereignty would be withdrawn, this man, by reason of the fact that he had decreased the cost of production, would be able to go into the markets of the world and compete with the sugar producers of other countries.

That is the theory upon which the committee acted in placing a limitation on this particular crop.

Mr. JONES. Will the gentleman yield?

Mr. HARE. I yield.

Mr. JONES. I notice that you put a limitation on the amount of coconut oil to be imported. As the language is worded, will that cover the case of the importation of copra?

Mr. HARE. It will not.

Mr. JONES. Then copra could be imported to an unlimited extent?

Mr. HARE. Yes. But the gentleman knows that importations of copra are not confined to the Philippine Islands but come from every other country that grows coconuts.

Mr. JONES. That makes the limitation amount to little, as the copra includes the oil, and the oil in this form could be brought in in unlimited quantities.

Mr. HARE. You are correct; but there is no limitation now on copra from the Philippines or any other country. There is no tariff on copra and never has been. My opinion is that just as soon as you stop the importation of coconut oil you will increase the importation of copra.

Mr. WILLIAMS of Texas. And when that time arrives the meal of the coconut will be a competitor of cottonseed meal.

Mr. HARE. Yes; I think you are correct in that assumption.

Mr. WOLCOTT. Will the gentleman yield?

Mr. HARE. I yield.

Mr. WOLCOTT. The gentleman says the Senate spent three weeks in debating the bill and the changes were slight. May I call attention to the fact that the Senate, after three weeks of debate, reduced the limitation of sugar to 585,000 short tons. Would it not be best and more practical from the standpoint of cane-sugar and beet-sugar growers in the United States to use the mean between the two extremes? In 1909 they exported 40,000 tons and in 1931, 809,000. Why not use the mean between the two, 500,000 tons rather than 800,000 tons?

Mr. HARE. Some of the figures of the gentleman are inaccurate, but I shall be glad to explain. As I said a few minutes ago, when we withdraw sovereignty over the people of the Philippines after 30 years, we want to come out of the Philippines as honorably as we went in. In order to do that we want to give them time to adjust their business in such a way that at the conclusion they may continue without any great economic shock to the structure of their country. At the same time we want to take care of those in our own country who are finding markets for their products in the Philippine Islands.

In arriving at these limitations we endeavored to take the status quo—that is, take their present production as a basis—so that during this period of transition they would have an opportunity to adjust their business and prepare themselves. In such a way they could survive at the end of the period. If we had gone back and fixed the limitations on a basis of five years ago, according to the Senate amendment, we would have been forcing them to adjust themselves to a condition that existed five years ago. The gentleman must know how impossible it would be for a merchant or a business man or a manufacturer or a farmer or anyone else to try to adjust his business for the next 10 years on the basis of his business four or five years ago.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield further to a question along a different line?

Mr. HARE. I may say further and add this, that this legislation, so far as I am concerned, is not prompted by selfish purposes. If it were, I would say, give them independence to-morrow morning. It is not for the purpose primarily of saving this particular product or that particular product. If it were, I repeat my position by saying, I would grant independence immediately. However, I could say to the sugar people that if we did it from a purely selfish standpoint, we could afford to buy every acre planted in sugar beets and still give free importation of sugar.

It was alleged before our committee by the representative of the sugar-beet growers that if the importation of sugar from the Philippines should increase in the next six years as in the past three years, the tariff benefit would be \$148,000,000. Of course, when Philippine sugar is no longer admitted free of duty, the consumers of the United States will pay the tariff; and if it will amount to as much as alleged, it would be equivalent to levying an annual tax on every man, woman, and child in the United States of about \$1.20. It was further alleged that we have only about 800,000 acres planted to sugar beets. If these allegations and representations are true and if we were actuated by purely selfish reasons, it would be better for us to oppose independence and insist on importation of sugar free of duty, because we could take the \$148,000,000 tariff referred to on page 160 of the hearings and buy every acre planted to sugar beets at \$185 per acre and retire the 800,000 acres from cultivation. But I am glad to think that while we may be and should be interested in our own welfare, we are not actuated solely by selfish reasons.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. HARE. Yes.

Mr. WOLCOTT. I call the gentleman's attention to what appears to be an inconsistency. Section 6 (a) provides that there shall be levied, collected, and paid on all refined sugars in excess of 50,000 long tons, and on unrefined sugars in excess of 800,000 long tons, coming into the United States from the Philippine Islands, in any calendar year, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

Mr. HARE. Yes.

Mr. WOLCOTT. Then in subsection (d) we find that—

In the event that in any year the limit in the case of any article which may be exported to the United States free of duty shall be reached by the Philippine Islands—

That is, this limitation of 800,000 long tons, I suppose—

the amount or quantity of such articles produced or manufactured in the Philippine Islands thereafter that may be so exported to the United States free of duty shall be allocated, under export permits issued by the government of the Commonwealth of the Philippine Islands—

And so forth.

Perhaps the gentleman can explain the inference, if there is one there, that there are duty-free products or sugar in excess of 800,000 tons which will come into the United States duty free.

Mr. HARE. No. That means if more than 800,000 are produced for export, the proportion of that amount shall be allocated among the various centrals in proportion to their average proportion during the three years previous thereto.

Mr. WOLCOTT. Then what is the meaning of the phrase "that may be so exported to the United States free of duty"?

Mr. HARE. That is the allocation of 800,000 tons.

Mr. WOLCOTT. No; that is in addition to the allocation of 800,000 tons.

Mr. HARE. There is no allocation as to that except this. We will say there are 40 centrals. The additional amount to be exported will be allocated among those centrals, according to the amount or in proportion to the amount that each one shipped this last year or during the period of the last three years. That is what that means.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. HARE. Yes.



Mr. SNELL. Does the gentleman happen to know how much private American money is invested in the Philippine Islands?

Mr. HARE. I regret that I do not have that at my tongue's end, but I shall be glad to put it in my remarks.

Mr. GUEVARA. May I answer the question?

Mr. HARE. Yes.

Mr. GUEVARA. About \$197,000,000, all told.

Mr. SNELL. Of course, that money was invested over there on account of the sovereignty of the United States over those islands?

Mr. HARE. Yes.

Mr. SNELL. Do we owe any obligation to those people who invested their money, to make sure that they have full and free opportunity to get it out before we cast these people adrift?

Mr. HARE. I think we are under obligations to protect them as we have protected them in this bill. We have provided a period of 10 years, so that every business enterprise, every man who has money invested, may be able to adjust himself to the changed conditions. I do not think we owe any special consideration to any man who may have gone to the Philippine Islands and made an investment, because he went there with knowledge of how we acquired the islands, he went there with the knowledge that we had said we would withdraw our sovereignty when the Filipinos were able to set up a stable government. I think we ought to protect the property of American investors as far as possible, but I do not think they are entitled to special consideration.

Mr. SNELL. The fact that he went over there when the islands were under our care and when the general expectation has been that we would not free them as quickly as this?

Mr. HARE. Oh, no; I could not say that, because I have been under the impression that this country would free them as soon as we were convinced that they were prepared to establish a stable government.

I may add that in this bill it is stipulated that even after the grant of independence "the property rights of citizens or corporations of the United States shall be acknowledged, respected, and safeguarded to the same extent as property rights of citizens of the Philippine Islands."

Mr. WOODRUFF. Mr. Speaker, will the gentleman yield?

Mr. HARE. Yes.

Mr. WOODRUFF. The Delegate from the Philippine Islands [Mr. GUEVARA] mentioned the sum of \$197,000,000 as being the amount invested by American investors in sugar in the Philippine Islands.

Mr. GUEVARA. Oh, no; I gave the total investment.

Mr. WOODRUFF. As a matter of fact, is not that the sum invested in all of the sugar industries of the islands?

Mr. GUEVARA. If I may, I wish to correct the statement of the gentleman from Michigan. I said that the whole American investment in the Philippine Islands is around \$197,000,000. That means the total investment as of 1930.

Mr. WOODRUFF. That means all of the American investments, in every line?

Mr. GUEVARA. Yes; bonds issued in this country by the Philippine Government and private investments in the Philippine Islands.

Mr. WOODRUFF. I think it would be interesting to the membership if the gentleman from South Carolina would submit in his extension of remarks the sum invested in the sugar industry in the islands.

Mr. HARE. I shall be glad to do that.

Mr. WOODRUFF. And the sum invested, not only by Americans but by everybody, and segregate those investments as to nationals, in so far as possible.

Mr. HARE. I find on page 69 of the hearings before our committee the following statement with reference to investments in the Philippine sugar industry:

The total investments in the Philippine sugar industry, aggregating \$190,000,000, distributed as to the character of the investments and the nationality of the owner of the sugar lands, are as follows:

Investments in centrals.....	\$82,500,000
Landed investments.....	90,000,000

Crop loans.....	\$12,500,000
Miscellaneous investments.....	5,000,000
	<hr/> 190,000,000

The land ownership is as follows:

Filipino.....	73,800,000
Spanish.....	9,900,000
American and others.....	6,300,000
	<hr/> 90,000,000

The ownership of the centrals is as follows:

Filipino.....	40,250,000
American.....	21,500,000
Spanish.....	20,250,000
Other nationalities.....	500,000
	<hr/> 82,500,000

Mr. GREEN. Will the gentleman yield for a question?

Mr. HARE. I yield.

Mr. GREEN. Does the legislation provide for any sovereignty or protection or any jurisdiction whatsoever by the American Government after a period of 10 years?

Mr. HARE. No. At the termination of the 10-year period sovereignty is withdrawn and the Philippine Islands are considered free and independent in every respect, and will be considered as a foreign nation.

Mr. SWING. Will the gentleman yield for a question?

Mr. HARE. Yes; I yield.

Mr. SWING. I understand there are several thousand Americans who are in the Philippine civil service, who have gone there at the encouragement of our Government to help them run their government. My guess would be that after independence the Americans will be let out and Filipinos will be permitted to take their places. What will become of their civil-service status?

Mr. HARE. I may say to the gentleman from California [Mr. SWING] that I appreciate the inquiries made because after the bill passed the House, and after the bill was under consideration in the Senate, I received a number of communications from people in the civil service in the Philippine Islands desiring to be taken care of by this legislation.

It was impossible to do so in the House, because the bill had already passed. However, I can state that most of the Americans are in the Bureau of Education, which has a system of pensions. Besides, there is an opportunity open to Americans, though not to Filipinos, to receive gratuities under a retirement act passed by the Philippine Legislature.

I rather think that in the meantime, during the next 10 years, there may be a number of other pieces of legislation in connection with pending legislation. A great deal has been said about trade relations. Some have been afraid that the trade relations between the Philippine Islands and the United States would be detrimental to both. Some have feared that we will be unable to trade with the Philippine Islands after 10 years. I invite attention to section 13, where the committee had in mind the period following the 10 years, where it is provided that in the meantime a study shall be made by Members of Congress, presumably, and a report submitted, recommending legislation that would provide for a commercial treaty or a trade arrangement between the two countries following the 10-year period.

Mr. DYER. Will the gentleman yield for a question?

Mr. HARE. Yes; I yield.

Mr. DYER. The gentleman has visited the Philippine Islands, and I would like to have his judgment as to whether, in his opinion, it is necessary to prolong this giving to the Filipino people their independence for a total of 12 years, as provided in this conference report, or are they not now ready?

Mr. HARE. I am glad the gentleman asked that question and I am glad to answer it. Personally I felt while the bill was under consideration that the transition period in which the people would have time to adjust themselves should not be longer than five years. I reached that conclusion after a study of the subject for eight years, during which time I have served on this committee. I felt that even the two years that is necessary to perfect the arrangement, to adopt a constitution and have it submitted to the

United States, and then five years following would be sufficient time for adjustment. That was my personal view.

As I have already stated, I think there should be a transition period, or a period of adjustment, but have never thought it should be longer than five or eight years, provided in H. R. 7233. My objection to a longer period, say for 15 or 20 years, is that nothing much would be done for the first 10 years or more. That is, those charged with the responsibility of making adjustments or providing adjustment policies would tend to procrastinate until the last few years before the expiration of the transition period and the adjustments would have to be made in the last five or six years. However, I found from conferences with representative business men while in the islands that there is another reason for objecting to a longer transitional period. It was my observation that practically all foreign investors in the islands are at heart imperialists and opposed to independence, but are frank to say we promised independence and that the conditions precedent have been virtually met. Nevertheless they insist that a long transition period should be granted. Most of them seem to think at least 20 years. When asked to give their reasons for suggesting so long a period they would generally say: "It will take us that long to reimburse us for the capital invested with reasonable profit, liquidate our holdings or business operations, and get out."

Of course, my reply to this attitude is that the transition or adjustment period is not proposed for the purpose of "liquidating" business activities in the islands, but to give all investments or investors an opportunity to adjust themselves, so that at the end of the transition period they will be able to continue with little or no drawbacks. As a matter of fact, if it is found to be the purpose of business men or foreign investors to liquidate and get out of business at the end of the transition period, I am in favor of granting independence at once, because if those who have capital invested are going to exploit the people and resources of the islands during the transition period and leave them in a worse financial condition following the withdrawal of sovereignty than they are in at present, there is no reason why independence should not be granted immediately.

Mr. DYER. I think the gentleman's judgment in that respect is nearer right than this bill which we have before us.

Mr. HARE. I have visited the islands; and I would like to take about two hours to tell all of my observation and experience there, because I think they have one of the most wonderful school systems I have ever seen. However, I recognize that there are Members who felt we should not take this step under a period of 15 or 20 years. Others felt that 10 years would be necessary. Being anxious to discharge the obligation of my country and anxious to discharge my obligation as a member of the committee, I was unwilling to set up my judgment against the majority judgment of the members of my committee. For that reason we have the 10-year period instead of the 5-year period.

Mr. SNELL. Will the gentleman yield?

Mr. HARE. I yield.

Mr. SNELL. The gentleman said it might be necessary to pass some more legislation in regard to the Philippines. It seems to me that after they have adopted a constitution, with the mandatory provisions contained in this report, practically all of our jurisdiction is gone, except as specified in the various provisions. Is that not correct?

Mr. HARE. Those various provisions take care of it.

Mr. SNELL. Then why is it necessary to pass any more legislation?

Mr. HARE. There will not be any more legislation necessary unless we find in the actual operation, the actual execution of the provisions of this bill, that we may have been mistaken somewhere, and there may be need of some perfecting legislation.

Mr. SNELL. Then that would have to be by treaty rather than by legislation by the American Congress, would it not?

Mr. HARE. No; I think not.

Mr. SNELL. Because the provisions are definitely set forth here.

Mr. HARE. I think there should be legislation as provided in section 13 and as contemplated, in the meantime, or immediately following, and I am convinced that the civil-service employees referred to by the gentleman from California [Mr. SWING] will be taken care of in the meantime by the Philippine Legislature.

Mr. HOOPER. Will the gentleman yield for a question?

Mr. HARE. I yield.

Mr. HOOPER. I was out of the Chamber during a portion of the gentleman's statement. Has the gentleman explained what the international relations of the islands will be during the 8-year period? Will the United States have complete control of international relations as far as the Philippines are concerned, or will they, under their constitution, have anything to do with treaties or other international relations?

Mr. HARE. The only thing is that they will have an opportunity to negotiate trade agreements through the representatives of the United States and the Commonwealth of the Philippine Islands.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. HARE. I yield.

Mr. CHINDBLOM. Paragraph J, section 2, provides that until final and complete withdrawal of the sovereignty of the United States, the foreign affairs shall be under the direct supervision and control of the United States.

Mr. HARE. Yes; I was going to give reference to that section, and call attention to section 11 which provides for a conference looking towards neutralization of the Philippine Islands when independence shall have been achieved.

Mr. LaGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. HARE. I yield.

Mr. LaGUARDIA. I wish the gentleman would devote some time to the observations made in his investigation, as to the desire of the Philippine people themselves, their system of education, their preparation and their plans to assume the responsibility of sovereignty, without marring this history-making occasion here to-day with a sordid discussion of the tariff on a few paltry tons of sugar and coconut oil.

Mr. HARE. I may say that I felt when I went into the islands that it would be necessary to study the people, their resources, to find out whether or not they were prepared to establish a stable government. I felt further that the school of any community, of any town, of any county, of any State is the best index to the character and intelligence of the people who inhabit those units. I felt, therefore, that I could get better information by visiting first the schools of the islands. I went not only into their cities and their municipalities, but I went into their rural districts. I wish the Members of the House would take a look at the photographs on my desk. If they can find a rural school in the United States that presents a better appearance than some of those exhibited I would like to pay them a personal visit.

The number of public schools has increased from 2,000 to 9,000, or 350 per cent, within the past 30 years. But mere figures do not present the picture showing the progress and developments, for figures, unless properly analyzed and interpreted, are usually cold, lifeless, and meaningless, but when seen in their proper light, they present a situation or status that can not be controverted. Upon my recent visit to the islands it was my privilege to give some special attention to the study of the educational opportunities afforded the people. I find there is not a municipality, locality, section, or settlement that is not provided with adequate, modern, and well-equipped school buildings. I was greatly impressed with the architectural designs of all the school buildings. They are large, commodious, and modern in every respect, and designed to afford the greatest comfort and convenience to pupils. They are all painted and preserved so as to make the most attractive appearance.

I was further impressed with the lawns, flowers, shrubbery, playgrounds, and so forth, surrounding the school buildings. I could not help but note the contrast with the schools in many places in the United States. The school grounds are well planned and well kept. The pupils seem to take a pride



in seeing that the lawns, flowers, and shrubbery are preserved and well cared for. I visited rural schools, high schools, normal schools, and colleges, and it was particularly noticeable to observe the appearance and orderly arrangement of the desks, chairs, and other school equipment. The furniture, contrasted with what we so often see in our own schools, was not marred with pencil marks, and the absence of notches, holes, and caricatures of various and sundry designs led me to inquire if school boys were allowed to carry pocket knives. In two of the schools visited in the late afternoon I noticed boys with a broomlike brush fastened to their feet going over the rooms cleaning the floors so that there would be no mud or dirt left overnight and the floors would be bright and clean upon their return to school the following day. Instead of having the floors swept or dusted once or twice a week they were scrubbed with these stiff brushes daily. They seem to take every precaution to safeguard the health of the children and avoid epidemics so often found in the public school. In passing school children on the highway we would see them place a handkerchief to their mouth and nose to avoid inhaling dust as much as possible raised by the automobile.

Placards suggesting rules of health to be followed both at school and home were placed high on the walls of school-rooms, as well as in corridors. Some I noted are as follows:

1. Health and dissipation never go together.
2. A balanced diet makes for health.
3. Eat green vegetables; they will keep you fit.
4. When working, do it with all your might; when resting, forget all your troubles.
5. A perpetual-motion machine has not yet been invented, so give your body a rest.
6. Bad habits are like certain weeds; they die hard. Why cultivate them?
7. Don't turn your night into day, and vice versa.
8. Disease is like rust on steel. It must be removed quickly if we don't want it to leave its mark.
9. Keep your sleeping-room windows open day and night.
10. If you contract an infectious disease, don't blame Providence. Blame yourself.
11. The cost of a sanitary closet will be much less than your doctor's bill, if without.
12. Fresh air is a health giver; you can not get too much of it.
13. Sunshine is a disinfectant, so let plenty of it into your rooms.
14. A clean face produces no pimples.
15. A doctor's bill is preferable to an undertaker's.
16. A bath a day keeps colds away.
17. Typhoid vaccine helps ward off the disease. Ask your physician to vaccinate you.
18. Most of our ills enter through the mouth. Beware of what you put in.
19. Flies are dangerous pests. Swat them!
20. Beware of the three F's: Fingers, filth, and flies.
21. Clean premises are a source of satisfaction. Don't tolerate filth about your house.
22. Many a danger lurks in water. See that it is pure.
23. People should die less of diseases but more of old age.
24. Good food, sunshine, and fresh air lessen your drug bill.
25. Drink and light pleasures are like burning a candle at both ends. Remember your life candle is none too long.
26. Don't overindulge in the pleasures of the table. It is like overstocking an engine.
27. Too much candy eats your teeth away.
28. A healthy scalp harbors no dandruff.
29. Vegetables are prods to lazy intestines.
30. Tuberculosis is a person-to-person affair. Do you get the moral?

The schools open earlier and remain open later in the day, giving 2 hours in the middle of the day so that pupils will have time to eat and digest their food, and give time for at least 20 or 30 minutes sleep. At one school I observed 100 or 150 pupils at the noon recess lying on a grass or fiber mat "taking a nap."

I mention some of these observations because they prove to me that the people have an advanced conception of the more modern rules of life and that they are studiously capable of establishing and maintaining rules of conduct equal or superior to that found in many of the older and independent nations. [Applause.]

[Here the gavel fell.]

Mr. HARE. Under leave to extend my remarks I include the committee report, No. 806, on H. R. 7233, and a statement on international aspects of Philippine independence

by Dean Maximo M. Kalaw, of the University of the Philippines, which follow:

[House Report No. 806, Seventy-second Congress, first session]

#### PHILIPPINE INDEPENDENCE

Mr. HARE, from the Committee on Insular Affairs, submitted the following report (to accompany H. R. 7233):

Your Committee on Insular Affairs, to whom were referred several bills looking to the independence of the Philippine Islands, having considered the same, favorably report H. R. 7233, with an amendment, and recommend that the bill as amended do pass.

#### BASIC FACTS

A careful analysis of the Philippine question and of all the evidence submitted at the hearings held before the committee discloses the following facts:

1. When the United States, as a result of the war with Spain, assumed sovereignty over the Philippine Islands, it disclaimed any intention to colonize or exploit them.
2. In pursuance of such lofty purpose the United States, through Executive pronouncements and a formal declaration made by the Congress in 1916, pledged itself to grant independence to the Philippines. The only condition precedent imposed by the Congress was the establishment of a stable government.
3. It is believed that a stable government now exists in the Philippines; that is, a government capable of maintaining order, administering justice, performing international obligations, and supported by the suffrages of the people.
4. Every step taken by the United States since the inception of American sovereignty over the Philippines has been to prepare the Filipino people for independence. As a result, they are now ready for independence politically, socially, and economically.
5. The American farmer is urging protection from the unrestricted free entry of competitive Philippine products.
6. American labor is seeking protection from unrestricted immigration of Filipino laborers, especially at this time of widespread unemployment.
7. The solution of the Philippine problem can no longer be postponed without injustice to the Filipino people and serious injury to our own interests.
8. Any plan for Philippine independence must provide for a satisfactory adjustment of economic conditions and relationships. The present free-trade reciprocity between the United States and the Philippines was established by the American Congress against the opposition of the Filipino people. The major industries of the islands have been built on the basis of that arrangement. This trade arrangement can not be terminated abruptly without injuring both American and Philippine economic interests.

Your committee held extended hearings at which the representatives of the various groups concerned appeared. Every person who asked to be heard was accorded an opportunity to testify.

#### AMERICAN POLICY PROMISE OF INDEPENDENCE

There is little need for argument to justify the grant of independence to the people of the Philippines. We stand committed to the duty of making them free. At the very outset of our occupation of the islands (in 1898) President McKinley proclaimed the purpose of their acquisition and forecast their destiny. "The Philippines are ours," he said, "not to exploit but to develop, to civilize, to educate, to train in the science of self-government. This is the path of duty which we must follow or be recreant to a mighty trust committed to us."

Still later, at a time when the American people had heard a year's discussion of our intentions and plans regarding the islands, President McKinley voiced the hope that the first Philippine Commission would be accepted by the Filipinos as bearers of "the richest blessings of a liberating rather than a conquering nation."

In January, 1908, President Roosevelt said in his message to Congress:

"\* \* \* The Filipino people, through their officials, are therefore making real steps in the direction of self-government. I hope and believe that these steps mark the beginning of a course which will continue till the Filipinos become fit to decide for themselves whether they desire to be an independent nation. \* \* \*

In 1913 President Wilson, in a message to the Filipino people, said:

"We regard ourselves as trustees acting not for the advantage of the United States, but for the benefit of the people of the Philippine Islands. Every step we take will be taken with a view to ultimate independence of the islands and as a preparation for that independence."

Similar statements of our Government's intent to help the Filipinos achieve separate, independent nationhood are to be found in official utterances of the Presidents of the United States from 1898 to the present.

In 1916 the Congress of the United States, in the preamble of the Jones Act, declared:

"Whereas it was never the intention of the people of the United States in the incipency of the war with Spain to make it a war of conquest or for territorial aggrandizement; and

"Whereas it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein; and

"Whereas for the speedy accomplishment of such purpose it is desirable to place in the hands of the people of the Philippines as

large a control of their domestic affairs as can be given them without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States, in order that, by the use and exercise of popular franchise and governmental powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence."

Nearly 16 years have passed since the enactment of this act. More than 10 years have elapsed since President Wilson certified to the Congress that the condition precedent for the granting of independence has been fulfilled.

#### HISTORICAL BACKGROUND

The Filipino people are the beneficiaries of several centuries of civilization. Long before the Spanish conquest of the islands in the latter half of the sixteenth century the inhabitants possessed a certain degree of culture, including written languages, characteristic arts, and industries. They maintained commerce with the mainland of Asia. This civilization and culture were, like the people themselves, of Malay origin, but with Indonesian and Mongolian elements.

Spanish occupation of the islands for more than three centuries introduced and established Christianity, European jurisprudence, language, and customs. It centralized authority and tended thereby to unify the country. However, economic progress during the first two centuries of Spain's dominion was slow. The spread of democracy in Europe and America in the late decades of the eighteenth and the early years of the nineteenth century—largely as a result of the American Revolution—influenced the fortunes and the outlook of the Filipinos. From 1807 to 1872—a stretch of 65 years—there were 11 native revolts against Spanish rule. These testify to the sense of nationalism and the longing for self-government of the Filipino people.

The interval from 1872 to 1896—24 years—was a period of preparation for the more decisive struggles of later years. In 1896 Jose Rizal, the leading Filipino patriot, was executed. Soon afterwards the Katipunan, a revolutionary association, with Andres Bonifacio at its head, started a nation-wide revolt.

The outcome was a solemn agreement binding the Spanish authorities to institute reforms, among them improvements in the judicial system, Filipino representation in the Spanish Cortes at Madrid, separation of church and state, and in general a larger measure of autonomy for the islands. This agreement included a stipulation that Aguinaldo and other leaders should expatriate themselves.

The Spaniards failed to execute the agreement they had made. In consequence the Filipinos, under the leadership of Gen. Francisco Macabulos, renewed the revolt and established a provisional government. In April, 1898, when the United States declared war, the Filipinos were in active rebellion against Spain. At the suggestion of Admiral Dewey, in May, 1898, Aguinaldo, who was then in Hong Kong, returned to Manila as an ally of the Americans. With the aid of the American military authorities he succeeded in wresting the islands, with the exception of Manila, from the Spanish forces. Manila itself was captured on August 13, 1898, upon the arrival of the American Army.

From the occupation of Manila until more than a year after the treaty of Paris had transferred the islands to the United States, the government there was purely military. For nine months—September 1, 1900, to June, 1901—the islands were governed by the Taft commission and the United States Army. The commission exercised legislative powers, but the executive authority was lodged in the military. This arrangement was supplanted in June, 1901, by civil government when William Howard Taft, president of the commission, was inaugurated as the first civil governor. The establishment of civil government throughout the islands was delayed because of native resistance to American control, which started with the outbreak of hostilities between Filipino forces and the American Army on February 4, 1899.

#### PROGRESS IN SELF-GOVERNMENT

In 1901 the Filipinos were given control of municipal governments. Beginning in 1903 the people of the Provinces were permitted to elect the provincial governors. At first the two members who, with the governor, constituted the provincial board were appointive officials, but they, too, were soon made elective. In 1907, under the provisions of the Cooper Act, the first elective assembly was inaugurated. The legislature was then composed of this elective assembly as its lower house and a commission appointed by the President of the United States as the upper house, whose presiding officer was the Governor General. The share of the Filipino people in the government was still further enlarged in 1913, when a majority of Filipinos was appointed to the commission. This, for practical purposes, gave the Filipinos control of the legislature.

Under the Jones law, passed in 1916, the Philippine people were given a very large and important participation in their government. To a great measure the government of the islands was placed in their hands. This active, responsible part in making and administering their laws and in conducting their other public affairs has been for them a practical apprenticeship in self-government.

The act provided for an elective senate and house of representatives as the legislative department of the insular government. The Governor General ceased to be the presiding officer of the upper house, but continued as the chief executive official. Though the Governor General is the chief executive official, the executive

departments perform all executive functions. The secretaries of these departments are all, with the exception of the vice governor, Filipinos, appointed by the Governor General upon the recommendation of the party in power in the legislature, and confirmed by the Philippine Senate. The vice governor is secretary of the department of public instruction.

A notably useful institution is the council of state, created some 14 years ago. Members of the council are chosen by the Governor General. Thus far the secretaries of the various departments, and the presiding officers and the majority leaders of the two houses of the legislature have constituted its membership, under the chairmanship of the Governor General. The council acts in an advisory capacity and has served to reconcile divergent views of the executive and the legislature with reference to fundamental questions of policy. Governors General have recorded their indebtedness to the council of state for its helpful cooperation.

#### POLITICAL PARTIES AND ELECTIONS

Political parties are not merely organs for the expression of hopes, proposals, and demands with respect to government; they are also measures of the popular capacity to understand and differentiate political, economic, and moral issues. Still more are they a test of a people's fitness for self-government if they stand for the sanctity of the ballot and insure full acquiescence in the will of the majority honestly and unmistakably expressed.

There are at present but two political parties in the Philippines. They have existed for a good many years—one of them dates from 1907. They differ as to principles and policies of government, but they are at one on the question of independence. Their contests for victory at the polls have at times been marked by warmth and vigor, but the elections have always been orderly. The Wood-Forbes report, quoted at the hearings, described the elections of 1919 as "without any serious disturbance," and declared that there was a "general acceptance by the minority of the result of the popular vote." This finding of the Wood-Forbes Commission is true of other elections.

At the last general elections (1931) there were 1,009,125 voters registered. Of these, 983,406 (about 90 per cent) cast their ballots. At no election, the testimony showed, has the proportion of voters to registration been less than 80 or 85 per cent. These statistical facts illustrate the popular interest in the insular elections and in the issues at stake.

At present there is only male suffrage in the islands, and this is limited to certain classes. A male 21 years of age, who is able to read and write Spanish, English, or any of the native dialects; or who owns property of an assessed value of 500 pesos or more; or who pays an annual tax of at least 30 pesos; or who held one of the so-called municipal offices during the Spanish dominion is entitled to vote. There is now a movement to enfranchise Filipino women, and a bill granting them suffrage is pending in the Philippine Senate, having already passed the house. This proposal to add women to the electorate is taken as additional evidence of the people's appreciation of their civic duties and responsibilities.

#### POPULAR EDUCATION

Popular education is everywhere and always a stimulus and assistance to popular interest and participation in government. The Filipino people, as evidence submitted to the committee attested, are eager for education and willing to expend large sums on their schools of every level. In September, 1929, there were 9,063 schools in the islands, an increase of approximately 7,000 schools since we obtained possession of the islands. Of these 8,442 were public schools. Enrolled in these schools, public and private, were 1,316,126 students. The public schools are staffed by 23,519 supervisors, principals, and teachers, all but about 300 of whom are Filipinos. The annual expenditure for public education in the Philippines for 1932 will represent almost 30 per cent of the government's income. The whole cost of this public education is paid by the people of the islands.

Included in this great educational establishment, public and private, are four universities of high academic standard. One of these, that of Santo Thomas, in Manila, was founded in 1611, or 25 years before Harvard University. Some 19,500 young men and young women are preparing themselves at these universities for the professions. Many others are attending the normal schools for the teaching profession. Many Filipinos are also attending colleges and universities in America and other countries. In all the schools of the islands—primary, secondary, and higher—the language of instruction is English.

#### HEALTH AND SANITATION

Many agencies and institutions, both preventive and curative, are at work to combat disease and promote health among the Filipino people. Sanitation was one of the first concerns of the American Government in the Philippines. Progress in this regard has been steady in all parts of the islands. For the last 15 years the health service has been administered almost wholly by Filipinos. The present director of the bureau is a Filipino, as are nearly all of his 522 medical and 2,083 lay assistants. In 1930 there were 105 hospitals of all types in the islands. One of them (in Manila) was founded in 1596 and is the oldest institution of its kind in the Far East.

The Secretary of War in 1930 reported that "Health conditions were in general good."

As a proof and a measure of the effectiveness of the work accomplished for health and sanitation, official statistics for the year 1930 were adduced in testimony on this subject. They



showed the birth rate to be 38.65 per 1,000 and the mortality to be 22.78 per 1,000. The success of the Philippine health service in treating and eradicating leprosy has attracted widespread attention. The leprosarium at Culion has been visited by medical scientists of many countries and is one of the leading institutions of its kind. Here again, as in the case of education and other activities of the Government, the cost is paid by the Filipino people.

#### CIVIL SERVICE

In the legislative, executive, and judicial departments of the insular establishment proper, in the provincial and municipal offices, including Manila and Baguio, there were on December 31, 1930, some 21,700 civil-service employees. All but 461 of these were Filipinos. Of the Americans remaining in the service, nearly all are teachers. In the office of the Governor General there are 35 Filipino civil employees.

#### ADMINISTRATION OF JUSTICE

Interesting and significant facts regarding the administration of justice in the islands were presented in oral testimony and in official statistics received by the committee. The judicial system of the islands includes a supreme court, 28 courts of first instance in as many different districts, and 865 justices of the peace. There are one or more judges for each of the 28 district courts. Thirty-one auxiliary judges assist these district judges. All the justices of the peace and all the district judges save two are Filipinos. Until 1913 the judges of the supreme court numbered 9—5 Americans and 4 Filipinos.

The Philippine attorney general's report for 1930 gives the information that the courts of first instance disposed of a total of 14,265 civil cases and 6,823 criminal cases in that year. Of the criminal cases, 5,888 resulted in convictions and 935 in dismissals.

Breaches of the law in the Philippines, the testimony indicated, are relatively few. About 7,000 convictions for violations of statutes and municipal ordinances are recorded each year. The number of persons confined in prisons is about 8,000.

#### PUBLIC ORDER

Law and order are maintained throughout the islands by the Philippine constabulary and the local police forces. The constabulary is an organization of 7,000 members, practically all of whom are Filipinos, and is supported exclusively by the insular government. It is efficient and reliable. The Wood-Forbes Commission, in its report to the President in 1922, said:

"They (the Filipinos) are naturally an orderly, law-abiding people. The constabulary has proved itself to be dependable and thoroughly efficient."

#### INSULAR CURRENCY

The soundness of Philippine currency was persuasively demonstrated at the hearings. On December 31, 1930, the total net circulation of insular currency was \$108,000,000. The several forms of this currency and the amount of each were: Treasury certificates, \$71,000,000; Philippine silver coin, \$20,000,000; bank notes, \$16,000,000. By way of guaranty for this circulation there was as of October 31, 1931, a gold-standard fund of \$38,000,000 divided thus: \$10,000,000 in Philippine currency and \$7,000,000 in United States currency deposited in the Philippine treasury, and \$20,000,000 in gold currency in several Federal reserve banks in the United States.

The law of 1903 requires that the gold-standard fund shall be at all times not less than 15 per cent nor more than 25 per cent of the total or available circulation of Philippine currency. The \$38,000,000 gold-standard reserve is therefore \$18,000,000 in excess of the legal requirement on the basis of actual circulation.

The treasury certificates in circulation on December 31, 1930, were backed, more than dollar for dollar, by a reserve taking the form of American currency and held in Federal reserve banks in the United States. On the date given this reserve was \$81,000,000—that is, \$10,000,000 larger than the aggregate of treasury certificates. In addition to this reserve, there are \$13,000,000 in the treasury of the Philippine Islands behind these certificates. Of this sum, \$3,700,000 is in American currency, the rest in Philippine silver coins.

It was pointed out that the operation of the act of 1903 requiring these protective reserves behind the Philippine currency makes it one of the most dependable currencies in the world to-day. While there is no provision for gold reserves in the islands, an equivalent is supplied by the backing of gold currency in the United States. The stability of the Philippine currency is thus made as safe and stable as American currency. The fact that despite the present depression Philippine currency remains at par with the American gold dollar is evidence of its soundness.

The financial administration of the Philippines is directed by Filipinos.

#### NATIONAL WEALTH AND TRADE

The Secretary of War reports that in 1930 the trade of the Philippines with the United States and foreign countries aggregated \$512,520,162, a decrease of about 17.8 per cent from that of 1929. The insular collector of customs, in his report, gives the value of imports as \$266,334,255. The balance of trade in favor of the islands was \$20,148,348. The bulk of the overseas trade was with the United States. The total of this was \$367,050,179 and its proportion of the entire foreign commerce of the islands 72 per cent. Of the whole volume of trade with the United States \$156,366,057 represents imports and \$210,684,122 exports. The balance in favor of the islands, accordingly, was \$54,318,065.

Since 1909, when free trade with the United States was established, the insular trade with the United States has risen from \$10,576,682, equal to 16 per cent of their entire foreign commerce, to \$367,050,179, or 72 per cent, in 1930.

Sugar, coconut oil, cordage, and tobacco were the principal exports to the United States, and these have been growing steadily in volume. They come to the United States duty free.

It is natural that the domestic industries and foreign commerce of the islands should enlarge in keeping with the increase in population. There were only 4,500,000 Filipinos in 1866 and about 7,500,000 in 1898. The Philippines are rich in many products which the world needs. The national wealth is estimated at \$5,905,085,000 (1927), or \$478 per capita. If independence be bestowed on them, the Filipino people will begin their separate existence with a greater patrimony than was possessed by many of the peoples who recently have joined the ranks of sovereign nations.

#### INSULAR BUDGET

At a time of universal depression, when most nations, large and small, are beset with fiscal difficulties, the government of the Philippines is in a sound financial condition. This statement is corroborated by the report of the insular auditor. From the exhibits left with the committee it appears that the Philippines not only have succeeded in balancing their budget but have in fact accumulated a surplus. Even in 1932, and in the face of curtailment of revenues, the Philippine budget will be balanced without increased taxation or abandonment of essential government services. The budgetary system was adopted in the Philippine Islands before it became operative here.

It was urged by the proponents of independence in the presentation of their views to the committee that this wise stewardship of the insular revenues evidences the ability of the Filipinos to manage one of the most difficult departments of government in one of the worst financial dislocations of recent years.

#### THE NATIONAL DEBT

The present outstanding bonded indebtedness of the Philippine Islands is \$170,000,000, as against which there has already been built up a sinking fund of \$50,000,000, now on deposit in American banks. This leaves a net outstanding indebtedness of \$120,000,000. The present national debt is but 48 per cent of the bonded-debt limit fixed by the Congress of the United States, and the evidence submitted at the hearings showed that the Philippine government is regularly meeting both interest and the required amortization of said bonds.

In his annual report for 1930 the Secretary of War said: "The total amount of outstanding indebtedness is well within the limits provided by law and sinking funds are fully maintained to cover all outstanding bonds."

#### FILIPINO IMMIGRATION

Filipino immigration into the United States is at present unrestricted. From several points of view it is a matter of no little concern. It involves economic and other difficulties for this country, especially in the States of the Pacific coast. According to the census of 1930 there are 45,208 Filipinos in the United States. About 35,000 of these are in the Pacific States. It is complained that these Filipinos compete with American workers and thereby contribute to the lowering of the American standard of wages and living. Spokesmen for the Filipino people in their statements to the committee contended that while the Philippine Islands remain under the American flag their native inhabitants ought not to be excluded from this country. They, however, freely conceded the right of the United States to exclude them after independence. Nation-wide unemployment faces us with exigencies that obscure the equities of the question. Many Americans, as we learned at the hearings, regard independence, aside from the ethical considerations which warrant it, as the cure for the evils of Filipino immigrants and urged it on those grounds.

#### THE SO-CALLED MORO PROBLEM

Ninety-two per cent of the approximately 13,000,000 inhabitants of the Philippine Islands are Christians, 4 per cent are Pagans, and 4 per cent Mohammedans. These Mohammedans are the so-called Moros. The Mohammedan, the Pagan, and the Christian Filipinos are racially identical. Their history and tradition are the same. The Mohammedan and Pagan Filipinos have for a long time acquiesced in the government of the islands by the Christian majority, and their most important leaders have publicly given adhesion to the cause of independence. In the revolution against Spain, it was pointed out, non-Christian Filipinos united with Christian Filipinos to overthrow Spanish authority.

There is no substantial evidence that these Moros and others have protested against Christian preponderance in the government. The contention that the United States is obligated by a treaty with the Moros to see to it that they should not be governed by Christians was negated by the statements of W. Cameron Forbes, former Governor General and member of the Wood-Forbes Commission; Frank W. Carpenter, former governor of Mindanao and Sulu; and General Pershing, under whose supervision the Moros were disarmed. Finally the committee were informed that one of the Moro datus, Facundo Mandi, had recently led a public manifestation of Mohammedan Filipinos in behalf of independence at Zamboanga. A resolution favoring complete and absolute independence, it was testified, had been drafted by the manifestants and transmitted to the President of the United States. A resolution favoring independence for the



Philippines, bearing the signatures of some 1,500 Filipinos from the Mohammedan sections of the islands, also was submitted to the committee.

#### INDECISIVENESS DETRIMENTAL TO BOTH PEOPLES

To protract the present indecisive status of the Philippine Islands, your committee believe, would be to prejudice not only the welfare of the Filipinos but also American interests, especially those of agriculture and labor. The Philippines, though under the sovereignty of the United States, are for certain purposes foreign territory. Our Constitution does not apply to them. The Filipinos are not American citizens. Any sudden change in our trade relations with them would injure them, yet for reasons entirely our own we might at any time revise these relations. No large investments of outside capital are likely to be made in the Philippines while their future remains as doubtful as it now is. The insular government can provide no reasonable assurance of stability of conditions under which manufacturing, commerce, or other activities shall be undertaken there, because of the power of Congress to alter them irrespective of the wishes or the welfare of the Filipino people.

#### FEASIBLE PLAN FOR INDEPENDENCE

In keeping with the principles which have guided our dealings with the Filipino people these last thirty-odd years, we should proceed to liberation in an orderly manner, through an institutional process which will not only provide for the erection of the new national structure but will also insure the safe and satisfactory adjustment of all present political and economic relations of the two nations.

Any plan for independence should afford a reasonable time for the readjustment of existent trade relations. The backbone of Philippine economic system is the present reciprocal free trade with the United States. Abrupt termination of that relationship would destroy many of the basic industries of the Philippines; it would seriously imperil the future of the free Philippine nation, and forfeit much of the gains the people have made under the guidance of the United States. This free-trade reciprocity was not of the Filipino people's seeking. It was enacted by the American Congress against their wishes. Once in effect, free trade stimulated the production of those commodities that are protected in the American market. It was responsible, also, for an extraordinary increase in the volume of Philippine-American trade and in a considerable decrease in the trade of the islands with other countries. Obviously a sudden disruption of this relationship will injure both American and Philippine economic interests.

We can not justify the termination of this relationship without allowing the interests concerned an opportunity to prepare themselves to meet the new conditions which will obtain after independence, when the Philippine Islands will have been placed outside the tariff wall of the United States. More particularly we owe a duty to Philippine industries which have been built up on the basis of free trade and to the people who depend for their livelihood on such industries. It is our duty to give them an opportunity to place themselves on a competitive basis before a radical change is forced upon them.

But while we are thus solicitous for the welfare of the Filipino people, we can not ignore our duty to the American farmer and the American wage earner. The organizations representing American agriculture plead for protection from free Philippine imports that compete with like products of our own soil. American workers, too, call for the exclusion of Filipino immigrants.

#### NECESSITY FOR DEFINITE ACTION

This review of the facts and issues enfolded in the present relationship of the Philippines with the United States serves to illustrate the gravity of the problem and to underline the need for a prompt and permanent solution. There should be no further delay. Our self-interest and our self-respect coincide in demanding action.

Our purpose in the Philippines has been accomplished. The unity of the people there is a fact. Their readiness and their eagerness for self-government have been abundantly demonstrated. Their financial capacity to support their government is beyond question. They have a balanced budget, a stable currency, a sound and efficient administration of justice, a successful system of public instruction. They have sanitation, communications, and all other services which are indispensable to progressive and orderly government. They maintain law and order through their own instrumentalities and assure protection to their own citizens and the nationals of other countries. Their educational and economic standards are higher than those in other countries in that part of the world. Under our inspiration and tutoring they have come to understand and prize and covet democracy. They recognize their debt of gratitude to the American people.

We have done for the Filipinos all that we have promised them except to grant them independence. We owe it not only to the Filipino people but also to our own to name the day and the way of Philippine independence.

#### PROVISIONS OF THE BILL

On the basis of these facts and considerations the duty of the United States to grant independence to the Philippine Islands is clear. The only questions to be considered are: First, "When should independence be granted?" and, second, "What should be the terms to the grant?" To solve these questions the present bill is recommended. It provides a sound, feasible, and orderly process of granting independence under conditions which shall be just and fair at once to American and Filipino interests.

The salient provisions of the bill are as follows:

1. The Filipino people are authorized to adopt a constitution and institute the government of the Commonwealth of the Philippine Islands which will exist pending complete independence. Under such government they will enjoy complete autonomy as to domestic affairs, subject only to certain reservations intended to safeguard both the sovereignty and the responsibilities of the United States.

2. Pending final relinquishment of American sovereignty the free importation of certain Philippine products into the United States shall not exceed specified limits based upon the status quo as represented by estimated importations from existing investments.

3. Pending independence, Philippine immigration to the United States is limited to a maximum annual quota of 50.

4. On the 4th of July immediately following the expiration of a period of eight years from the date of the inauguration of the government of the Philippine Commonwealth, American sovereignty will be withdrawn and the complete independence of the Philippine Islands formally recognized. Thereupon the Philippines, to all intents and purposes, will become a country foreign to the United States.

5. The United States reserves the right and privilege, at its discretion, to retain and maintain military and naval bases and other reservations in the Philippine Islands.

The bill as amended is as follows:

[H. R. 7233, 72d Cong., 1st sess.]

"A bill to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands, to provide for the independence of the same, and for other purposes

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### "CONVENTION TO FRAME CONSTITUTION FOR PHILIPPINE ISLANDS

"SECTION 1. The Philippine Legislature is hereby authorized to provide for the election of delegates to a constitutional convention to meet at such time and place as the Philippine Legislature may fix, to formulate and draft a constitution for the government of the Commonwealth of the Philippine Islands, subject to the conditions and qualifications prescribed in this act, which shall exercise jurisdiction over all the territory ceded to the United States by the treaty of peace concluded between the United States and Spain on the 10th day of December, 1898, the boundaries of which are set forth in Article III of said treaty, together with those islands embraced in the treaty between Spain and the United States concluded at Washington on the 7th day of November, 1900. The Philippine Legislature shall provide for the necessary expenses of such convention.

#### "CHARACTER OF CONSTITUTION—MANDATORY PROVISIONS

"SEC. 2. The constitution formulated and drafted shall be republican in form, shall contain a bill of rights, and shall, either as a part thereof or in an ordinance appended thereto, contain provisions to the effect that, pending the final and complete withdrawal of the sovereignty of the United States over the Philippines Islands—

"(a) All citizens of the Philippine Islands shall owe allegiance to the United States.

"(b) Every officer of the government of the Philippine Islands shall, before entering upon the discharge of his duties, take and subscribe an oath of office, declaring, among other things, that he recognizes and accepts the supreme authority of and will maintain true faith and allegiance to the United States.

"(c) Absolute toleration of religious sentiment shall be secured, and no inhabitant or religious organization shall ever be molested in person or property on account of religious belief or mode of worship.

"(d) Property owned by the United States, cemeteries, churches, and parsonages or convents appurtenant thereto, and all lands, buildings, and improvements used exclusively for religious, charitable, or educational purposes shall be exempt from taxation.

"(e) Trade relations between the Philippine Islands and the United States shall be upon the basis prescribed in section 6.

"(f) The public debt of the Philippine Islands and its subordinate branches shall not exceed limits now or hereafter fixed by the Congress of the United States; and no loans shall be contracted in foreign countries without the approval of the President of the United States.

"(g) The debts, liabilities, and obligations of the present Philippine government, its Provinces, municipalities, and instrumentalities, valid and subsisting at the time of the adoption of the constitution, shall be assumed and paid by the new government.

"(h) Provision shall be made for the establishment and maintenance of an adequate system of public schools primarily conducted in the English language.

"(i) No part of the public revenues shall be used for the support of any sectarian or denominational school, college, university, church, or charitable institution.

"(j) Acts affecting the currency or coinage laws shall not become law until approved by the President of the United States.

"(k) Foreign affairs shall be under the direct supervision and control of the United States.

"(l) All acts passed by the Legislature of the Commonwealth of the Philippine Islands shall be reported to the Congress of the United States.

"(m) The Philippine Islands recognizes the right of the United States to expropriate property for public uses, to maintain military and other reservations and armed forces in the Philippines,



and upon order of the President to call into the service of such armed forces all military forces organized by the Philippine government.

"(n) Appeals to the Supreme Court of the United States shall be as now provided by existing law and shall also include all cases involving the constitution of the Commonwealth of the Philippine Islands.

"(o) The United States may exercise the right to intervene for the preservation of the government of the Commonwealth of the Philippine Islands and for the maintenance of the government as provided in their constitution and for the protection of life, property, and individual liberty and for the discharge of government obligations under and in accordance with the provisions of their constitution.

"(p) The authority of the United States high commissioner to the government of the Philippine Islands, as provided in this act, shall be recognized.

"(q) Citizens and corporations of the United States shall enjoy in the Commonwealth of the Philippine Islands all the civil rights of the citizens and corporations respectively thereof.

#### "SUBMISSION OF CONSTITUTION TO THE PRESIDENT OF THE UNITED STATES

"Sec. 3. Upon the drafting and approval of the constitution by the constitutional convention in the Philippine Islands, such constitution shall be submitted to the President of the United States, who shall determine whether or not it conforms with the provisions of this act. If he finds that the proposed constitution conforms substantially with the provisions of this act, he shall so certify to the Governor General of the Philippine Islands, who shall so advise the constitutional convention assembled, but if he finds that the proposed constitution does not conform with the provisions of this act, he shall so advise the Governor General, stating wherein, in his judgment, the constitution does not so conform, and submitting provisions which will, in his judgment, make the constitution so conform. The Governor General shall in turn submit such message to the constitutional convention for further action by them pursuant to the same procedure hereinbefore defined, until the President and the constitutional convention are in agreement.

#### "SUBMISSION OF CONSTITUTION TO FILIPINO PEOPLE

"Sec. 4. After the President of the United States has certified that the constitution conforms with the provisions of this act it shall be submitted to the people of the Philippine Islands for their ratification or rejection at an election to be held within four months after the date of such certification, on a date to be fixed by the Philippine Legislature, at which election the qualified voters of the Philippine Islands shall have an opportunity to vote directly for or against the proposed constitution and ordinances appended thereto. Such election shall be held in such manner as may be prescribed by the Philippine Legislature, to which the return of the election shall be made. The Philippine Legislature shall by law provide for the canvassing of the return and, if a majority of the votes cast on that question shall be for the constitution, shall certify the result to the Governor General of the Philippine Islands, together with a statement of the votes cast thereon and a copy of said constitution and ordinances. The Governor General shall, in that event, within 30 days after receipt of the certification from Philippine Legislature, issue a proclamation for the election of officers of the government of the Commonwealth of the Philippine Islands provided for in the constitution. The election shall take place not earlier than three months nor later than six months after the proclamation by the Governor General ordering such election. When the election of the officers provided for under the constitution has been held and the results determined, the Governor General of the Philippine Islands shall certify the result of the election to the President of the United States, who shall thereupon issue a proclamation announcing the results of the election, and upon the issuance of such proclamation by the President the existing Philippine government shall terminate and the new government shall enter upon its rights, privileges, powers, and duties as provided under the constitution. The present government of the Philippine Islands shall provide for the orderly transfer of the functions of government.

"If a majority of the votes cast are against the constitution, the existing government of the Philippine Islands shall continue without regard to the provisions of this act.

#### "TRANSFER OF PROPERTY AND RIGHTS TO PHILIPPINE COMMONWEALTH

"Sec. 5. All the property and rights which may have been acquired in the Philippine Islands by the United States under the treaties mentioned in the first section of this act, except such land or other property as is now actually occupied and used by the United States for military and other reservations of the Government of the United States, and except such land or other property or rights or interests therein as may have been sold or otherwise disposed of in accordance with law, are hereby granted to the new government of the Commonwealth of the Philippine Islands when constituted.

#### "TRADE RELATIONS WITH THE UNITED STATES PENDING COMPLETE INDEPENDENCE

"Sec. 6. After the date of the inauguration of the government of the Commonwealth of the Philippine Islands trade relations between the United States and the new government shall be as now provided by law, subject to the following exceptions:

"(1) There shall be levied, collected, and paid on all refined sugars in excess of 50,000 long tons, and on unrefined sugars in excess of 800,000 long tons, coming into the United States from the

Philippine Islands in any calendar year, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

"(2) There shall be levied, collected, and paid on all coconut oil coming into the United States from the Philippine Islands in any calendar year in excess of 200,000 long tons the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

"(3) There shall be levied, collected, and paid on all yarn, twines, cords, cordage, rope, and cables, tarred or untarred, wholly or in chief value of manilla (abaca) or other hard fibers, coming into the United States from the Philippine Islands in any calendar year in excess of a collective total of 3,000,000 pounds of all such articles hereinbefore enumerated, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

"(4) In the event that in any year the limit in the case of any article which may be exported to the United States free of duty shall be reached by the Philippine Islands, the amount or quantity of such articles produced in the Philippine Islands thereafter that may be so exported to the United States shall be allocated, under export permits issued by the government of the Commonwealth of the Philippine Islands, to the producers or manufacturers of such articles proportionately on the basis of their exportation to the United States in the preceding year, except that in the case of unrefined sugar the amount thereof to be exported annually to the United States free of duty shall be allocated to the sugar-producing mills of the islands proportionately on the basis of their production in the preceding year, and the amount of sugar which may be exported from each mill shall be allocated between the mill and the planters on the basis of the proportion of sugar received by the planters and the mill from the planters' cane, as provided in their milling contract. The government of the Philippine Islands is authorized to adopt the necessary laws and regulations for putting into effect the allocation hereinbefore provided.

"When used in this section in a geographical sense, the term 'United States' includes all Territories and possessions of the United States, except the Philippine Islands, the Virgin Islands, American Samoa, and the island of Guam.

"Sec. 7. Until the final and complete withdrawal of American sovereignty over the Philippine Islands—

"(1) Every duly adopted amendment to the constitution of the government of the Commonwealth of the Philippine Islands shall be submitted to the President of the United States for approval. If the President approves the amendment, or if the President fails to disapprove such amendment within six months from the time of its submission, the amendment shall take effect as a part of such constitution.

"(2) The President of the United States shall have authority to suspend the taking effect of or the operation of any law, contract, or executive order of the government of the Commonwealth of the Philippine Islands, which in his judgment will result in a failure of the government of the Commonwealth of the Philippine Islands to fulfill its contract, or to meet its bonded indebtedness and interest thereon or to provide for its sinking funds, or which seems likely to impair the reserves for the protection of the currency of the Philippine Islands, or which in his judgment will violate international obligations of the United States.

"(3) The chief executive of the government of the Commonwealth of the Philippine Islands shall make an annual report to the President and Congress of the United States of the proceedings and operations of the government of the Commonwealth of the Philippine Islands and shall make such other reports as the President or Congress may request.

"(4) The President shall appoint, by and with the advice and consent of the Senate, a United States high commissioner to the government of the Commonwealth of the Philippine Islands, who shall hold office at the pleasure of the President and until his successor is appointed and qualified. He shall be known as the United States high commissioner to the Philippine Islands. He shall be the representative of the President of the United States in the Philippine Islands and shall be recognized as such by the government of the Commonwealth of the Philippine Islands, by the commanding officers of the military forces of the United States, and by all civil officials of the United States in the Philippine Islands. He shall have access to all records of the government or any subdivision thereof, and shall be furnished by the chief executive of the Commonwealth of the Philippine Islands with such information as he shall request.

"If the government of the Commonwealth of the Philippine Islands fails to pay any of its bonded or other indebtedness or the interest thereon when due or to fulfill any of its contracts, the United States high commissioner shall immediately report the facts to the President, who may thereupon direct the high commissioner to take over the customs offices and administration of the same, administer the same, and apply such part of the revenue received therefrom as may be necessary for the payment of such overdue indebtedness or for the fulfillment of such contracts. The United States high commissioner shall annually, and at such other times as the President may require, render an official report to the President and Congress of the United States. He shall perform such additional duties and functions as may be lawfully delegated to him from time to time by the President.

"The United States high commissioner shall receive the same compensation as is now received by the Governor General of the



Philippine Islands, and shall have such staff and assistants as the President may deem advisable and as may be appropriated for by Congress. He may occupy the official residence and offices now occupied by the Governor General. The salaries and expenses of the high commissioner and his staff and assistants shall be paid by the United States.

"The first United States high commissioner appointed under this act shall take office upon the inauguration of the new government of the Commonwealth of the Philippine Islands.

"(5) The government of the Commonwealth of the Philippine Islands shall provide for the selection of a Resident Commissioner to the United States, and shall fix his term of office. He shall be the representative of the government of the Commonwealth of the Philippine Islands and shall be entitled to official recognition as such by all departments upon presentation to the President of credentials signed by the chief executive of said Islands. He shall have a seat in the House of Representatives of the United States, with the right of debate, but without the right of voting. His salary and expenses shall be fixed and paid by the government of the Philippine Islands. Until a Resident Commissioner is selected and qualified under this section, existing law governing the appointment of Resident Commissioners from the Philippine Islands shall continue in effect.

"(a) For the purposes of the immigration act of 1917, the immigration act of 1924 (except sec. 13(c)), this section, and other laws of the United States relating to the immigration, exclusion, or expulsion of aliens, persons who are citizens of the Philippine Islands, and who are not citizens of the United States, shall be considered as if they were aliens. For such purposes the Philippine Islands shall be considered as if it were a separate country and shall have for each fiscal year a quota of 50. This subdivision shall not apply to a person coming or seeking to come to the Territory of Hawaii who does not apply for and secure an immigration or passport visa.

"(b) Citizens of the Philippine Islands who are not citizens of the United States shall not be admitted to the continental United States from the Territory of Hawaii (whether entering such Territory before or after the effective date of this section) unless they belong to a class declared to be nonimmigrants by section 3 of the immigration act of 1924 or to a class declared to be nonquota immigrants under the provisions of section 4 of such act other than subdivision (c) thereof, or unless they were admitted to such Territory under an immigration visa. The Secretary of Labor shall by regulations provide a method for such exclusion and for the admission of such accepted classes.

"(c) Any Foreign Service officer may be assigned to duty in the Philippine Islands under a commission as a consular officer, for such period as may be necessary and under such regulations as the Secretary of State may prescribe, during which assignment such officer shall be considered as stationed in a foreign country; but his powers and duties shall be confined to the performance of such of the official acts and notarial and other services which such officer might properly perform in respect of the administration of the immigration laws if assigned to a foreign country as a consular officer, as may be authorized by the Secretary of State.

"(d) For the purposes of sections 18 and 20 of the immigration act of 1917, as amended, the Philippine Islands shall be considered a foreign country.

"(e) The provisions of this section are in addition to the provisions of the immigration laws now in force, and shall be enforced as a part of such laws, and all the penal or other provisions of such laws, not inapplicable, shall apply to and be enforced in connection with the provisions of this section. An alien, although admissible under the provisions of this section, shall not be admitted to the United States if he is excluded by any provision of the immigration laws other than this section, and an alien, although admissible under the provisions of the immigration laws other than this section, shall not be admitted to the United States if he is excluded by any provision of this section.

"(f) Terms defined in the immigration act of 1924 shall, when used in this section, have the meaning assigned to such terms in that act.

"(g) This section shall take effect 60 days after the enactment of this act.

#### "RECOGNITION OF PHILIPPINE INDEPENDENCE AND WITHDRAWAL OF AMERICAN SOVEREIGNTY

"Sec. 9. (1) On the 4th day of July, immediately following the expiration of a period of eight years from the date of the inauguration of the new government under the constitution provided for in this act, the President of the United States shall withdraw and surrender all right of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States in and over the territory and people of the Philippine Islands, including all military and other reservations of the Government of the United States in the Philippines and, on behalf of the United States, shall recognize the independence of the Philippine Islands as a separate and self-governing nation and acknowledge the authority and control over the same of the government instituted by the people thereof under the constitution then in force: *Provided*, That the constitution of the Commonwealth of the Philippine Islands has been previously amended to include the following provisions:

"(2) That the property rights of the United States and the Philippine Islands shall be promptly adjusted and settled, and that all existing property rights of citizens or corporations of the United States shall be acknowledged, respected, and safeguarded to

the same extent as property rights of citizens of the Philippine Islands.

"(3) That the government of the Philippine Islands will cede or grant to the United States land necessary for commercial base, coaling or naval stations at certain specified points, to be agreed upon with the President of the United States not later than two years after his proclamation recognizing the independence of the Philippine Islands.

"(4) That the officials elected and serving under the constitution adopted pursuant to the provisions of this act shall be constitutional officers of the free and independent government of the Philippine Islands and qualified to function in all respects as if elected directly under such government, and shall serve their full terms of office as prescribed in the constitution.

"(5) That the debts and liabilities of the Philippine Islands, its Provinces, cities, municipalities, and instrumentalities, which shall be valid and subsisting at the time of the final and complete withdrawal of the sovereignty of the United States, shall be assumed by the free and independent government of the Philippine Islands; and that where bonds have been issued under authority of an act of Congress of the United States by the Philippine Islands, or any Province, city, or municipality therein, the Philippine government will make adequate provision for the necessary funds for the payment of interest and principal, and such obligations shall be a first lien on the taxes collected in the Philippine Islands.

"(6) That the government of the Philippine Islands, on becoming independent of the United States, will assume all continuing obligations assumed by the United States under the treaty of peace with Spain ceding said Philippine Islands to the United States.

"(7) That by way of further assurance the government of the Philippine Islands will embody the foregoing provisions (except paragraph (3)) in a treaty with the United States.

#### "NOTIFICATION TO FOREIGN GOVERNMENTS

"Sec. 10. Upon the proclamation and recognition of the independence of the Philippine Islands, the President shall notify the governments with which the United States is in diplomatic correspondence thereof and invite said governments to recognize the independence of the Philippine Islands.

#### "TARIFF DUTIES AFTER INDEPENDENCE

"Sec. 11. After the Philippine Islands have become a free and independent nation there shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from other foreign countries: *Provided*, That at least six months prior to the withdrawal of American sovereignty as hereinbefore provided, there shall be held a conference of representatives of the Government of the United States and the government of the Commonwealth of the Philippine Islands, such representatives to be appointed by the President of the United States and the chief executive of the Commonwealth of the Philippine Islands, respectively, for the purpose of formulating recommendations as to future trade relations between the Government of the United States and the independent government of the Philippine Islands, the time, place, and manner of holding such conference to be determined by the President of the United States; but nothing in this proviso shall be construed to modify or affect in any way provision of this act relating to the procedure leading up to Philippine independence or the date upon which the Philippine Islands shall become independent.

#### "CERTAIN STATUTES CONTINUED IN FORCE

"Sec. 12. Except as in this act otherwise provided, the laws now or hereafter in force shall continue in force in the Philippine Islands until altered, amended, or repealed by the legislature of the Commonwealth of the Philippine Islands or by the Congress of the United States, and all references in such laws to the Philippines or Philippine Islands shall be construed to mean the government of the Commonwealth of the Philippine Islands. The government of the Commonwealth of the Philippine Islands shall be deemed successor to the present government of the Philippine Islands and of all the rights and obligations thereof. Except as otherwise provided in this act, all laws or parts of laws relating to the present government of the Philippine Islands and its administration are hereby repealed as of the date of the inauguration of the government of the Commonwealth of the Philippine Islands.

"Sec. 13. If any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the act and the applicability of such provisions to other persons and circumstances shall not be affected thereby."

#### INTERNATIONAL ASPECTS OF PHILIPPINE INDEPENDENCE

By Maximo M. Kalaw

Why take up the Philippine question now? The recent events in China and Manchuria are certainly not propitious for the launching of the Philippine nation. This was probably the reaction of many people upon hearing that the House of Representatives of the United States approved by an overwhelming majority a Philippine independence bill and that the Senate is scheduled to take up a similar measure in the very near future.

It should be noted that none of the bills proposed calls for immediate political separation of the Philippines from America. The House plan provides for independence in 8 years and the



Senate in 19 years. It can be reasonably expected that by the time set in either of the bills the far eastern situation will become stabilized.

If at all, these proposed bills should fortify America's moral position in the Far East. The principle for which China is fighting to-day is the same principle which animates the Filipinos in their struggle for independence. Both want complete freedom to rule their own homes; both want to be arbiters of their own destiny. China asks that Japan live up to her word when she signed the 9-power treaty, the Kellogg pact, and the covenant of the League of Nations. Similarly, though in a peaceful way, the Filipino people request that the United States live up to her promise contained in the Jones law. There is a curious similarity in the words of the 9-power treaty and the Jones law.

Japan and the other nations under the 9-power treaty agreed "to provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government." America in the Jones law pledged "to give the Philippines their independence as soon as a stable government can be established therein." The Filipinos maintain that they have fulfilled the condition of a stable government, and that, therefore, independence should follow. This stand has merited the hearty support of an American President and Governor General.

We do not see the logic of the argument that because of the Sino-Japanese trouble America should retain the Philippines indefinitely, and thus give up the idea of redeeming her pledge to the Filipino people. If America condemns Japan's acts because they are imperialistic, that should make her the more inclined to redeem her pledge to the Filipinos. Her action would thus speak louder than her words. After all, is not the record of European nations and the United States in securing territories and concessions in Asia one of the moral excuses Japan has in pursuing aggressive policies in Manchuria and China proper? You can not combat a wrong principle with regard to China by continuing a similar principle in the Philippines. For, despite the benefits of American rule, Chinese and the Filipinos have one and only one finality—to free their country from all foreign domination.

Complete peace will not come to Asia until her struggling, submerged peoples are set free. No subject nationality has ever become great. The more nations are created on the Asiatic Continent capable of effecting a balance of power among one another, the better prospects will there be for Asiatic peace.

The existence of a first-class power is always a potential danger to a small neighbor. Japan is such a power, and from all appearances will remain so for some time. But the Filipino people are willing to run the risk of being an independent neighbor of hers. We believe that to postpone the redemption of America's pledge of freedom to the Philippines until Japan ceases to be a first-class power means a virtual nullification of that pledge; and we know that that is far from America's intentions.

From the standpoint of America herself, she should design and carry out a more definite Philippine policy. She needs the friendship and support of the Filipino people in the Far East. Such friendship and support exist now, not only because of her liberal policy but chiefly because of her promise of independence. An indefinite and unmistakable failure on her part to redeem her pledge will not be conducive to the permanence of that friendship.

According to some people there is probably just as great—if not greater—danger of Japan's invading the Philippines while under America than when we are independent. At present no serious questions mar Filipino-Japanese relations. There are more problems arising between Japan and the United States to-day than between Japan and an independent Philippines. There are the questions of Japanese restriction, Manchuria, and the Kellogg pact. The Philippines, however, if an independence legislation is approved, will start with a clean slate in so far as their relations with Japan are concerned.

From the military standpoint the Philippines is at present the weakest spot under the American flag. No American military strategist has even claimed that the United States will be able to protect the Philippines against a Japanese invasion. In case of a war with Japan she can easily take the Philippines. The only spot in the Philippine Islands which may resist is Corregidor, the small fort at the bay of Manila. Even that is being doubted now. But the rest of the islands is Japan's for the taking, especially if the Filipino people remain indifferent and foreign to the controversy. And America can not fortify the Philippines, either, for she has pledged herself not to do so by the so-called 4-power treaty.

In case of a war with Japan, therefore, the Filipino people will be the first victims, although they may, in fact, be a mere third-party alien to the question at issue. It is true that America will, by her resources, probably succeed in taking the islands back, but only after the expenditure of fortunes and the loss of valuable lives. All such eventualities will further complicate the problems of American-Philippine relations.

What would be the guaranties of an independent Philippines? Some suggested that the United States could negotiate a treaty of neutrality. Those who believe that this scheme is feasible point to the geographic position of the Philippines. Great waterways separate her from the rest of Asia, thus lessening the prospects of its neutrality being violated in case of war.

Again it is argued that if in the 4-power treaty England, France, Japan, and the United States agreed to respect the territorial integrity of the Philippines while it is under America these na-

tions, if America wanted, should have no reason to object to respecting the neutrality of an independent Philippines. On the contrary, England would prefer that Japan should not take it because the Philippines in the hands of Japan would destroy the continuity of English colonial possessions from Australia, Borneo, the Malay Settlements, and India. And neither would France and Japan like to have the Philippines occupied by England. It is contended that the very jealousy of the great powers should be an inducement for them to pledge for the perpetual neutrality of the Philippines.

Others urge that the League of Nations should afford sufficient guaranty and that America herself should allow the Philippines to be a member of the league.

Another group would induce the United States to try to maintain a sort of protectorate for the Philippines very much like that over Cuba. The objection to this plan is that the Philippines is too far from the United States for protection. And on the part of the Philippines the fact that the Platt amendment has been made part of the Cuban constitution means a curtailment of the sovereign rights of Cuba. Every international relationship that the Philippines will have should be on the treaty basis. The majority of the Filipinos would probably prefer no such relationship. The general plan outlined by the Filipinos for complete separation should be in general adhered to. The dangers of absolute independence have been overstressed.

At the present time respect for a nation's independence is the rule, and aggression is the exception. Any nation that keeps order, protects the lives and properties of foreigners, and fulfills its international obligations can maintain its independence. If the criterion to repel invasion were applied to all nations, not more than five or six of them can qualify. Siam right now would not be able to repel invasion by France and England, and these are on her border line. Persia could not fight France, and none of the 12 or more small nations of Europe could stand the aggression of Italy or France. And yet these nations are enjoying their independence. International peace and good will is practiced at present more than ever before. The world is now a better and safer place to live in.

The best guaranties are the Filipino people themselves—their behavior and determination. The Filipino people will be determined to defend their country. We are not so wanting in manhood and courage. Our past has proved it. Our showing when America invaded us was not so bad. It took the great American Republic three years of exasperating warfare and the presence of 120,000 American soldiers, and it cost her over \$400,000,000. Even assuming that America has not increased our capacity for protection—which is not to her credit—what other nation can afford to spend that much for our conquest? Will it pay to have to spend that much for our colonization?

The highest prestige of America was obtained when she championed the cause of the smaller nations, when she entered the World War announcing her purpose to help make the world safe for democracy. It is the liberal leadership that she espouses that adds to her prestige. The redemption of her pledge to the Filipino people rather than detract from her name would add luster to it. It would have favorable results in her far eastern policies. Her voice in oriental affairs would be better heard, for she can then say to Japan, China, and India, "I have no imperialistic designs in Asia, and the proof is that I am definitely withdrawing my sovereignty from the Philippines. I am, therefore, not opposed to the principle that Asia should belong to the Asiatics, but for the purpose of trade, commerce, and international good will I insist that there should also be peace and good will among the Asiatic peoples themselves."

The Filipinos, on their part, realize the significance of their independence movement. They know the responsibilities which an expectant world will place on their shoulders. They have, therefore, through their representatives, defined the conduct which they intend to follow after they have been granted their independence.

They have said: "The Filipino people would not be just to themselves if at this moment, when their political separation from the sovereign country is proposed, they should fail to express in the clearest and most definite manner the sentiments and purposes that inspire their action. They, therefore, deem it proper to affirm that independence, instead of destroying or weakening, will tend to strengthen the bonds of friendship and appreciation \* \* \* for all the previous disinterested work so splendidly performed for the benefit of the Philippines by so many faithful sons of America; that this gratitude will be the first fundamental fact in the future relations between the United States and the Philippine Islands; that in the present state of international affairs the Filipino people merely aspire to become another conscious and direct instrument for the progress of liberty and civilization; that in the tranquil course of their years of constitutional development they will maintain for all people inhabiting their hospitable land the essence and benefit of democratic institutions; that they will continue to associate in so far as this will be practicable and their strength will permit in the work of reconstruction, justice, and peace carried on by the United States; \* \* \* and that in thus preserving their best traditions and institutions in the new situation which will strengthen and perfect them, the Filipino people will continue to make this country as heretofore a safe place of law and order, justice, and liberty, where Americans and foreigners as well as nationals may live peacefully in the pursuit of happiness and prosperity."



Mr. HARE. Mr. Speaker, I move the previous question.

Mr. COX. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COX. Would it be in order to ask for an extension of time for debate with the understanding that the motion of the previous question may be considered as pending?

The SPEAKER. It is always in order to submit a unanimous-consent request.

Mr. COX. Mr. Speaker, I ask unanimous consent that time for debate be extended 20 minutes with the understanding that 10 minutes thereof shall be at the disposal of the Commissioners from the Philippine Islands.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the time for debate be extended 20 minutes, 10 minutes of which shall be at the disposal of the Commissioners from the Philippines. Is there objection?

Mr. UNDERHILL. Let the ax fall. I object, Mr. Speaker. The previous question was ordered.

The SPEAKER. The question is on the adoption of the conference report.

Mr. MAPES. Mr. Speaker, in order that the RECORD may show how some of us feel about the adoption of this conference report, I ask for a division.

The House divided; and there were—ayes 171, noes 16.

So the conference report was agreed to.

Mr. HARE. Mr. Speaker, I ask unanimous consent that Commissioner OSIAS be allowed to address the House for 10 minutes.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that the Commissioner from the Philippines be permitted to address the House 10 minutes. Is there objection?

There was no objection.

Mr. OSIAS. Mr. Speaker, I rise to give thanks to the distinguished chairman and members of the Committee on Insular Affairs, to the managers on the part of both Houses, and to the membership of the Congress at large for the action that has just been taken.

The measure as reported unanimously by the conferees from both the House of Representatives and the United States Senate has all the support which the two Resident Commissioners from the Philippine Islands can give. You will, therefore, readily understand why we are happy that this House took an action similar to the favorable action taken by the United States Senate on the 22d of this month.

When this Philippine bill, Mr. Speaker, will become a law, it will be a signal triumph of peaceful means and constitutional methods as agencies in the achievement of a people's independence. A Philippine independence act, in very truth, will be a new charter of human liberty.

We who represent the Philippine Islands do not say that this legislative enactment is absolutely perfect in its workmanship. No one ever made so extreme a claim. It has its imperfections like any product resulting from human efforts. I doubt not that there are certain provisions that can and will be criticized. The ingenuity of the human mind is such that it can always detect flaws in the accomplishments of finite beings.

Perhaps some, like myself, might have wished that the parliamentary situation permitted a few perfecting amendments. Yet, again, knowing as I know the procedure here, if wide latitude for such a purpose had been allowed, it may well be that a worse bill would have ensued. So when we were confronted with the inexorable reality of the facts, we who are officially representing the Philippine Islands accepted this composite work, evolved laboriously, and which endeavors to harmonize divergent elements and conflicting ideas.

Mr. Speaker, I have carefully followed the various steps in the long and involved task necessary for this piece of legislation to reach its present stage. It was my sworn duty to do this and to be fully informed of its manifold phases and its intricate provisions. I do not hesitate to say that the processes and machinery which this bill sets up, administered in the spirit of mutual confidence and friendship,

will bear fruitage that will be a credit to both the United States and the Philippine Islands. [Applause.]

The bill in its present form contemplates an autonomous Philippine commonwealth. Ten years after its inauguration a completely independent Philippine republic will eventuate. Certain restrictions more or less onerous, there are, it is true. But these are deemed inevitable in effecting the transition by those charged with the power and responsibility of decision. Patriotic Filipinos can ill begrudge the hardships that may be occasioned, knowing full well that liberty has always entailed great burdens and responsibilities. As for myself, I accept every sacrifice cheerfully as part of the price of our independence. [Applause.]

In the light of colonial records this Philippine bill, on the whole, is just, fair, and reasonable. As it was said of another Philippine bill in 1916, so it may be said of this: "It is a bill of good faith, in line with the best policies of the past, and it is a natural step forward"; and it may be added, the step in this bill is at once decisive and final.

Mr. Speaker, I am happy and I am grateful. This day my people have cause to be happy and to be grateful. I envision for my country and people a future grander and more glorious once we are independent and free. That, after all, is the great objective of this Philippine independence bill. If and when it is enacted into law, I feel confident it shall merit the favorable verdict of history. [Applause.]

#### STUDY AND ANALYSIS OF THE BILL H. R. 7233

The record of American-Philippine relations will be enriched by the action of the House of Representatives and the United States Senate in passing a Philippine independence bill. This is the first time that this has been done in the course of the Filipinos' struggle for centuries to achieve national emancipation. To the Seventy-second Congress belongs the credit and distinction, and to the Members of both branches of Congress I wish to express my most profound thanks and sincerest appreciation.

There have been of late isolated incidents during the discussion of the measure (H. R. 7233) which for a while tended to impede its progress toward final passage. The unjustifiable charge of ingratitude against my people and the scheme for their immediate exclusion even while they are under the American flag, on the one hand, and the intemperate talks and empty threats of boycott from a few radicals, on the other—all of which received all too wide publicity—by no means facilitated prompt action. Fortunately the saner elements of both peoples realized that those were mere individual outbursts and not expressions of public opinion or collective sentiment. Thinking people know that boycott is a double-edged weapon that can inflict losses against those to whom it is directed but with injurious repercussions upon trade and commerce, and what is worse, it is apt to mar friendly relations. Calm reason and prudence prevailed, and it is a tribute to the discriminating judgment of Americans and Filipinos alike that there have been no reprisals and counterreprisals in our relations during the last 30 years.

This Philippine independence bill authorizes the Philippine Legislature to provide for a constitutional convention for the formulation of a constitution for the Philippine Commonwealth with far greater autonomous powers than those we enjoy under our present organic act. That constitution must be republican in form, contain a bill of rights, and embody fundamental provisions essential to modern democracies. It shall be submitted to the President of the United States for his approval and to the Filipino people for their ratification. (Secs. 1, 2, 3, and 4.)

The Philippine independence bill defines the various relations that should obtain between the government of the Philippine Commonwealth and that of the United States pending the grant of complete independence.

The United States transfers to the government of the Commonwealth of the Philippine Islands when constituted—all the property and rights which may have been acquired in the Philippine Islands \* \* \* except such land or other property



as has heretofore been designated by the President of the United States for military and other reservations of the Government of the United States, and except such land or other property or rights or interests therein as may have been sold or otherwise disposed of in accordance with law.

(Sec. 5.)

With respect to trade relations, the House bill provided for straight limitation of duty-free Philippine importations of sugar, coconut oil, and cordage to the United States annually during the eight years' life of the Philippine Commonwealth. The Senate bill adopted the "7-and-5-year" plan—that is, 7 years of straight limitation and 5 years of graduated export tax beginning at 5 per cent of the United States tariff, increasing each year by 5 per cent. Furthermore, the quantity limitations fixed for sugar and coconut oil in the Senate bill were less than those in the House bill. In the conference the managers on both sides made concessions and agreed on the "five-and-five" plan with the quantity limitations fixed in the bill (H. R. 7233) as it passed the House on April 4, 1932. The bill, as approved in conference, provides that after the date of the inauguration of the government of the Commonwealth of the Philippine Islands trade relations between the United States and the Philippine Islands shall be as now provided by law, subject to the following exceptions:

(a) That for five years there shall be an annual limitation of duty-free Philippine importations into the United States, the maximum being fixed at 850,000 long tons of refined and unrefined sugar, 200,000 tons of coconut oil, and 3,000,000 pounds of hemp cordage. In other words, during the first 5-year period of the Philippine Commonwealth there shall be levied, collected, and paid on all refined sugar in excess of 50,000 long tons, all unrefined sugar in excess of 800,000 tons, all coconut oil in excess of 200,000 tons, all yarn, twine, cord, rope, and cable, tarred or untarred, wholly or in chief value of Manila (abacá), or other hard fibers in excess of 3,000,000 pounds coming into the United States from the Philippine Islands in any calendar year the same rates of duty required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries. During the same period there is no limitation on duty-free American goods going into the Philippine Islands from the United States.

(b) That for the last five years of the Philippine Commonwealth there shall be a graduated export tax on Philippine articles exported to the United States of 5 per cent during the sixth year, 10 per cent during the seventh year, 15 per cent during the eighth year, 20 per cent during the ninth year, and 25 per cent during the tenth year of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries. All funds received from such export taxes shall be placed in a sinking fund, and such fund together with other funds for this purpose must be applied solely to paying the principal and interest on the bonded indebtedness of the Philippines, its Provinces, municipalities, and instrumentalities until such indebtedness has been fully discharged. (Sec. 6.)

The next section deals with the manner of effecting amendments to the constitution of the Commonwealth, the powers of the President of the United States under certain eventualities, the reports of the president of the Commonwealth, the United States High Commissioner, the Philippine Resident Commissioner, and the review of certain cases by the Supreme Court of the United States. (Sec. 7.)

Relative to immigration, the managers on the part of the Senate receded on the total-exclusion feature. That provision, which would have been indefensible, happily was stricken out. The conferees agreed on an annual quota of 50 as provided in the House bill effective, not 60 days after the passage of the act, but upon acceptance of the act by the Philippine Legislature or by a convention as provided in the Senate bill. Certain regulatory provisions are incorporated. (Sec. 8.) Upon the final and complete withdrawal of American sovereignty over the Philippines, the immigration laws of the United States shall apply in full force and

effect to the islands "to the same extent as in the case of other foreign countries." (Sec. 14.) Needless to say, the Philippine government will then have the power and authority to pass such immigration laws as will protect its best interests and will be agreeable to the comity of nations.

The bill passed by the Senate on December 17 contained a provision relieving the United States of any obligation—

To meet the interest or principal of bonds and other obligations of the government of the Philippine Islands or of the provincial and municipal governments hereafter issued,

and not exempting such bonds or obligations from taxation in or by the United States. The managers on the part of the House accepted this, and it was retained. (Sec. 9.)

The conference approved the provision by which the President of the United States may—

At the earliest practicable date \* \* \* enter into negotiations with foreign powers with a view to the conclusion of a treaty for the perpetual neutralization of the Philippine Islands

After independence. (Sec. 11.)

Section 12 provides for the notification of foreign governments upon the proclamation and recognition of Philippine independence.

Section 13 deals with tariff duties after independence and a trade conference at least one year prior to independence.

Sections 15 and 16 have to do with certain statutes continued in force.

Section 17 reads:

The foregoing provisions of this act shall not take effect until accepted by concurrent resolution of the Philippine Legislature or by a convention called for the purpose of passing upon that question as may be provided by the Philippine Legislature.

The conference committee retained the Senate amendment providing that the constitutional convention shall meet—

Within one year after the enactment of this act (section 3).

and also the Senate amendment requiring the submission of the constitution to the President—

Within two years after the enactment of this act. (Section 1.)

The House bill provided for the recognition of independence upon the expiration of a period of eight years from the inauguration of the government of the Philippine Commonwealth. The Senate bill provided a period of 12 years. The conferees agreed upon 10 years. The exact provision making the date of independence definite and certain says in part:

On the 4th day of July immediately following the expiration of a period of 10 years from the date of the inauguration of the new government under the constitution provided for in this act the President of the United States shall, by proclamation, withdraw and surrender all right of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States in and over the territory and people of the Philippine Islands, including all military and other reservations of the Government of the United States in the Philippines (except such land or property reserved under sec. 5 as may be redesignated by the President of the United States not later than two years after the date of such proclamation), and, on behalf of the United States, shall recognize the independence of the Philippine Islands as a separate and self-governing nation and acknowledge the authority and control over the same of the government instituted by the people thereof under the constitution then in force—

And so forth. (Sec. 10.)

Few outside of the inner circle of workers and officials devoted to the public service realize the multiplicity of problems before the United States Congress. Perhaps some faint idea may be gained from the fact that during the last session of the present Congress there were 4,986 Senate bills, 210 Senate joint resolutions, 35 Senate concurrent resolutions, 13,005 House bills, 479 House joint resolutions, 39 House concurrent resolutions, and 294 House resolutions introduced. In the full realization of the magnitude of the task before the United States Government, before the United States Congress, I am sincerely thankful to the chairmen and members of the Senate and House committees, to the conference managers, and to the membership of the Congress at large that both Houses have after all these years acted on the Philippine independence bill at last.

Mr. DYER. Mr. Speaker, I ask unanimous consent that the Commissioner from the Philippines [Mr. GUEVARA] may address the House for five minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GUEVARA. Mr. Speaker, I would be recreant to my duty if I did not join in the eloquent expressions of my distinguished colleague, Mr. OSIAS, as to the gratitude of the Philippine people for the enactment of the bill just ratified by this House.

I wish also to disabuse the mind of the gentleman from California [Mr. SWING] and others who may harbor in their minds the feeling that when this bill becomes effective the Philippine Commonwealth will put out of their jobs those faithful Americans who have served the Philippine government for many, many years.

I wish to say now, in the name of the Philippine people, that not only will we want to retain them but we are going to bring more Americans out there to help the people of the Philippine Islands build up the economic and political structure of their government. In what position would the Filipino people be placed if they put out of their service the Americans who have served their government for 30 years, after the United States has so generously granted them their independence which other peoples in the world have won only through bloodshed and hardship? [Applause.]

I for one, as long as I live, will use all the influence I can command and will fight to keep those faithful Americans in the government of the Philippines.

In concluding I wish to say that the Filipino people are very grateful to you and I am sure that they are longing for an opportunity to show their gratitude and friendly sentiment to the United States.

I wish to repeat here now what I said two days ago on this floor, that in our prayers for our own welfare we will not forget that we should also pray for your ever-increasing prosperity and power, for they have always been the instrument of justice and help to mankind. [Applause.]

#### EXTENSION OF REMARKS—PHILIPPINE INDEPENDENCE

Mr. LANKFORD of Georgia. Mr. Speaker, on the 4th of last April, when this bill to grant independence to the Philippine Islands was before the House, I gladly supported and voted for it, because I believed it would be to the best interests of both the people of the United States and the Philippine Islands that their independence be granted, and especially because I believed that the independence of these islands would enable the United States to more fully protect the farmers of my section against the importation of various oils that are sold in this country in competition with articles produced by our farmers. For these same reasons I am to-day supporting and shall vote for the conference report on the disagreeing votes of the two Houses on this bill.

While I am very happy over the passage of this bill and sincerely hope that much good will result to the farmers, still I must urge Congress and the country that much more than the passage of this bill must be done in order to save our farmers from utter destruction. No Democrat in Congress has gone farther than I in supporting and voting for tariffs on farm products. I was the only Member from my State just after the World War to vote for the emergency tariff bill, to afford emergency protection to the farmers, and yet I then believed and still believe that the farmers' problems can not be solved by any sort of adjustment of the tariff rates. The farmers' problems are so fundamental and so serious that we must do much more than has ever been done by Congress if we are to even approach their proper solution.

#### THE BEER BILL

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REILLY] may revise and extend his remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. REILLY. Mr. Speaker, in the Sixty-fourth Congress I voted against the proposal to submit to the States for approval a constitutional amendment providing for national prohibition.

I believed then, and I believe now, that the liquor problem is essentially a State problem and that any attempt by the National Government to standardize the social habits of the people of the various States of the Union through national action would end in a dismal failure.

There can be no doubt at all but that after 12 years of a trial of national prohibition the great majority of our citizens have come to the conclusion that the eighteenth amendment has not been enforced, that it can not be enforced, and that it should be repealed and the control of the liquor question restored to the States.

In the recent campaign the so-called liquor question was an important issue. The Democratic Party in its platform declared for the repeal of the eighteenth amendment and for the modification of the Volstead Act pending repeal, and the people by an overwhelming vote approved of what the Democratic Party, in its straightforward statement on the liquor problem, promised to do if entrusted with power in Washington.

Much of the debate in opposition to the pending measure would indicate that the opponents of a modification of the Volstead Act have either been asleep or out of this country for the past 12 years.

These last-ditch advocates of national prohibition, ignoring the mandate of the people, are endeavoring to justify their votes against the pending bill by the statement that they fear if this bill is passed the old saloon will return.

How any man or woman who has been around at all and knows what is happening in the world can candidly talk about the return of an institution that they ought to know has never left us is beyond my comprehension.

The old saloon is still with us, although under perhaps a more euphonious name—the soft-drink parlor—where intoxicating liquor of all kinds, mostly bad, are sold over the same kind of a bar that the old saloon used.

For 12 years the National Government has been trying to put the old saloon out of business, and all that it has been able to do to date is to change the name of the institution to be abated.

I take it that the primary purpose of this bill is not to raise revenue but rather to comply with the mandate of the people, as expressed in the recent election, by amending the Volstead Act so as to permit the manufacture and sale of beer having the highest alcoholic content permissible under the eighteenth amendment.

Of course, the enactment of the pending bill into a law will bring revenue to the National Government, to the State governments, and to the local governments; revenue that at the present time is going to finance organized crime throughout this country.

In my judgment also the passage of this bill will make for real temperance, because many people who are now indulging in the use of hard liquor would be satisfied with the nonintoxicating beverage provided for by this bill.

It is quite generally recognized now that the definition contained in the Volstead Act of intoxicating liquor as any beverage containing one-half of 1 per cent or more of alcoholic content is a fanatical definition without support in theory or in fact.

The pending bill provides for the legalizing of a beer having an alcoholic content of 3.2 per cent by weight and 4 per cent by volume—a beer that in Denmark and other countries is called a temperance beer.

The highest scientific authority in this country, represented by Doctor Henderson, of Yale University, and Doctor Stangel, of the University of Pennsylvania, testifying before the committee that has reported this bill to the House, declared that, in their judgment, beer containing an alcoholic content as provided in this bill was not intoxicating. I take it that these experts in giving their opinion



as to when beer became intoxicating had in mind the average man, and not the exceptional man.

However, I am not an expert on the question as to what percentage of an alcoholic content will make beer intoxicating, and I am willing to leave that question to the experts and our courts to decide.

The people not only want beer in my State of Wisconsin—and I believe in other States of the Union where they drink beer—not entirely because of the kick they get out of it, but because they enjoy the beverage as a wholesome and palatable drink, but they also want a 5-cent glass of beer.

Not very many years ago a distinguished American statesman declared that what the country needed at that time was a good 5-cent cigar.

What the country needs to-day is a good and palatable 5-cent glass of beer, and this bill should be so written as to make it possible to sell at retail a good, wholesome glass of beer at that price.

The enactment into a law of the pending bill will not only comply with the mandate of the people, but it will also provide needed revenue for the governments, National, State, and local; however, care must be taken so that the revenue tax placed on beer will not be in excess of what the traffic will bear, having in mind the sale at retail of the product so that it will be within the reach of the common man. Beer is the drink of the common man, and as stated above, he should have a 5-cent glass of beer.

Again, the United States Government should not attempt to hog all the revenue that will arise from permitting the manufacture and sale of beer, containing a higher alcoholic content than is permitted at the present time.

The various State governments are just as much in need of revenue at the present time as the United States Government, and these governmental units should be permitted to get some revenue off of the industry that is going to be revived by this legislation, and the local communities also ought to have some revenue in the way of license fees.

If the State and local communities derive revenue from the manufacture and sale of the beer to be legalized by this bill, there will be less bootlegging and less evasion of law in the States and local communities, because every tax-paying citizen will be interested in seeing that the law is lived up to.

I have received computations from breweries in my district wherein they have figured out that if a barrel of beer can be sold to the retailer at \$12 a barrel it can be retailed for 5 cents for an 8-ounce glass.

It appears that an 8-ounce glass is quite generally in use in handling near beer at the present time. Of the \$12 cost to the retailer, \$6 would be for the beer and \$6 for the tax. The said \$6 to include all taxes on the product.

Now, if the National Government is going to levy a \$5 tax on each barrel of beer, as provided in this bill, there will be practically nothing left for the States and local communities, unless the total tax is boosted so that beer will have to be retailed at 10 cents a glass. Four dollars a barrel should be the limit of the tax levied by the Government, and that would leave an additional \$2 tax for the State and local treasuries.

If, as a result of the levying of too high a tax, it becomes necessary to sell beer at 10 cents a glass, it will simply mean that the wildcat breweries will do more business than ever.

The only way to clean out the wildcat breweries is to make it possible for the retailer to sell a glass of beer at 5 cents; and bottled beer should be sold at from 7 to 8 cents a bottle.

I am pleased to learn that the bill before the committee makes no provision for regulating the sale of the new beer provided for in this bill. The beverage provided by this bill is to be a nonintoxicating drink, and there is no reason why that product can not be handled in the States just the same as other nonintoxicating beverages are handled to-day.

If regulations should become necessary, the task of formulating such regulations should be left to the various States, or States that will take advantage of this law.

Congress should not make the mistake of attempting to tell the people of my State or any other State how they will

go about the manufacture and sale of nonintoxicating beverages.

The Democratic platform stands for State control of the liquor problem, that is, for the right of the people of each State, first, to determine whether or not they will have a traffic in intoxicating liquors, and, second, how that traffic will be handled, and there is no reason why that rule should not apply to the sale of the nonintoxicating beverage provided for by the bill now before the committee.

The pending bill contains no provisions as to so-called light wines; such provision was contained in the original bill as presented to the Ways and Means Committee, and I am pleased to learn that that provision has been eliminated from the measure that we are now considering.

This Congress has no mandate as regards the legalizing of wine. There was nothing said in the campaign about the manufacture and sale of light wines.

The wine proposal should stand on its own bottom and not be permitted to interfere with Congress in carrying out the mandate of the people as regards beer.

While the pending bill if it becomes a law, will bring needed revenue to the Government, will help to relieve the unemployment situation, and will also bring some relief to the farmer by providing a better market for one of his important products, I would be for the bill if it accomplished none of these objects, for the simple reason that the people have voted for this piece of legislation, and for the further reason that it will strike from the statute book a fanatical definition of intoxicating liquor that has never received the approval of science or reason.

#### PHILIPPINE ISLANDS

Mr. OSIAS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include therein a memorandum prepared by the special envoy of the Philippine Legislature.

The SPEAKER. Is there objection?

There was no objection.

Mr. OSIAS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following memorandum prepared by Hon. Benigno S. Aquino soon after his arrival in Washington as a special envoy of the Philippine Legislature. Mr. Aquino was formerly majority floor leader of the Philippine House of Representatives and is at present holding the same post in the Philippine Senate.

WASHINGTON, D. C., December 21, 1932.

To the Members of the Congress of the United States:

GENTLEMEN: On November 9, 1931, the Philippine Legislature adopted a resolution creating the present Philippine Independence Commission to the United States, with the Hon. Manuel L. Quezon, president of the Philippine Senate, as chairman on the part of that body. Owing to ill health he has been unable to assume his duties with said commission and the Philippine Legislature on November 9, 1932, adopted Concurrent Resolution No. 20, authorizing him to designate another member of the senate to act in his place. I have come to the United States in that capacity.

In consonance with this representation, I beg to present herewith our views on the independence legislation pending consideration by the Congress. In view of the fact that the House of Representatives has already passed H. R. 7233, known as the Hare bill, and the Senate the Hawes-Cutting bill, in substitution for the former, with amendments, I shall address myself only to those provisions which, in my judgment, are objectionable to and would be difficult of approval by the Filipino people.

At the outset I wish to reiterate the real and sincere desire of the Filipino people for immediate, complete, and absolute independence. I realize, however, that this is not the proper time to pursue this subject, in view of the adoption by both Houses of their respective bills and of the fact that the conference committee can consider only the provisions upon which the two bills differ.

First objection: Section 2 of both the Hare bill and the Hawes-Cutting bill, paragraph (o) in the first bill and paragraph (n) in the second. The text of both paragraphs is as follows:

"The United States may exercise the right to intervene for the preservation of the government of the Commonwealth of the Philippine Islands and for the maintenance of the government as provided in their constitution, and for the protection of life, property, and individual liberty, and for the discharge of government obligations under and in accordance with the provisions of their constitution."

This provision not only confers upon the Government of the United States the right to intervene for the preservation of the government of the Commonwealth and for the maintenance of that government as provided in its constitution, which we take

to mean that the United States may intervene to protect the Commonwealth from external aggression and internal revolution, a right which is inherent upon the United States so long as the American flag flies in the Philippines, but also confers directly upon the President of the United States the right to intervene in any matter affecting legislation, executive functions, or judicial proceedings which threaten or jeopardize life, property, and individual liberty. In other words, by virtue of this provision, the entire government established under the Commonwealth, each and every one of the departments—executive, legislative, and judicial—will be under the absolute control of the President of the United States, who may at any time annul its action.

This interpretation is strengthened by the amendment to section 7 of the Hawes-Cutting bill at the end of the second paragraph of which the following provision appears:

"The President shall also have authority to take such action as in his judgment may be necessary in pursuance of the right of intervention reserved under paragraph (n) of section 2 of this act."

Second objection: The elimination of the word "lawfully" from the original text of the Hawes-Cutting bill, section 7, paragraph 4. The original wording of this paragraph is the same as that of the Hare bill. In this connection we are perfectly aware that the President of the United States can delegate only those powers which he possesses; no one can give that which he does not have. But it seems to us that the intention in striking out the word "lawfully" was to remove any doubt or to prevent any discussion as to what powers may or may not be delegated by the President of the United States to the high commissioner. In other words, this section as amended with the elimination of the word "lawfully," coupled with the provision in section 2 of both bills, to which I have already registered our objection, would not only give complete discretion to the President of the United States to exercise the right of intervention at any moment as provided for in section 6 of both bills but also ample discretion to delegate his powers to the high commissioner.

Third objection: The appointment of a comptroller to whom all decisions of the insular auditor may be appealed. The existence of this position, far from being beneficial, may become a source of friction and controversy and disrupt the harmonious relations which should exist in the management of the affairs of the government of the Commonwealth.

I may also add that this provision implies lack of confidence in the ability and honesty of the officials of the Commonwealth and at the same time strengthens the belief that the President may at any moment make use of the right to intervene through the high commissioner, even in those matters which affect the domestic financial problems of the Philippine government.

Fourth objection: The limitation of the amount of sugar that we may export to the United States to 615,000 long tons and oil to 150,000 long tons free of duty.

We wish to lay emphasis upon the fact that neither bill grants any power to the government of the Commonwealth to limit the entry of American products to the Philippine Islands during the period of transition. This lack of reciprocity becomes the more unjust when it is considered that these limitations, especially that on our sugar, would kill the sugar industry of the Philippines at the outset. In accordance with paragraph (j) of section 2 of the Hawes-Cutting bill, "Foreign affairs shall be under the direct supervision and control of the United States." If, on one hand, Philippine exports are to be limited to amounts extremely prejudicial to Philippine interests and on the other hand the government of the Commonwealth is not granted the necessary freedom to secure proper treaty arrangements, consequently lacking freedom of action to find new markets in which to sell its excess production, the injustice of these limitations becomes the more patent.

We are firmly and sincerely convinced that the purpose of the Congress in approving these measures is to prepare the Filipino people, during the period of transition, to assume the responsibilities of an independent nation. The provisions to which we have objected, however, would prevent them from developing themselves adequately, and we repeat once more that it would be a thousand times more advantageous for the Filipino people to obtain immediately their freedom and complete independence from the United States than to throttle their economic life by submitting themselves to the rigid and unjust provisions of the bill approved by the Senate.

In view of the foregoing considerations we beg to submit the following suggestions:

First. Change the phraseology of paragraphs (o) and (n) of section 2 of both the Hare and Hawes-Cutting bills in order to remove what we believe to be the existence of two authorities with respect to the carrying out of the provision giving protection to life, property, and individual liberty—the Governor General of the Philippines and the high commissioner, both invested with identical jurisdiction and powers.

Second. Elimination of the following words from paragraph 2 of section 7 of the Hawes-Cutting bill:

"The President shall also have authority to take such action as in his judgment may be necessary in pursuance of the right of intervention reserved under paragraph (n) of section 2 of this act."

Third. Elimination of the following words from paragraph 4 of section 7 of the Hawes-Cutting bill:

"He shall perform such additional duties and functions as may be delegated to him from time to time by the President."

Fourth. Elimination of the following words also from paragraph 4 of section 7 of the same bill:

"... including a financial expert or comptroller, who shall receive for submission to the high commissioner a duplicate copy of the reports of the insular auditor, and to whom appeals from decisions of the insular auditor may be taken."

After these words have been stricken out the bill should be reshaped so as to include all its purposes except those herein objected to.

Fifth. Reconsideration of the limitations contained in paragraphs (a) and (b) of section 6 of the Hawes-Cutting bill, reinstating the limitations as originally provided in the bill.

Sixth. Elimination of the following words from paragraph 1 of section 8 of the Hawes-Cutting bill:

"... but no person ineligible to become a citizen of the United States shall be admitted under such quota of 100."

Regarding this particular provision, we desire to state, in clear and unequivocal terms, that over and above our desire to find prosperity in this country, is our dignity as a race which impels us to protest energetically against this provision and to urge earnestly its elimination.

In conclusion I desire to take advantage of this opportunity to state publicly once more, in behalf of my people and of myself, the sincere gratitude of the Filipino people to the United States and to its magnanimous people. This act of Congress in considering this legislation shows that the freedom of a people may be obtained not alone through bloodshed—that altruism and good will may achieve the same goal.

Very respectfully,

BENIGNO S. AQUINO,  
Special Envoy of the Philippine Legislature.

#### EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record, and include therein an article by S. Parkes Cadman.

The SPEAKER. Is there objection?

Mr. SNELL. I object.

#### ADJOURNMENT

Mr. HARE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Friday, December 30, 1932, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. EVANS of Montana: Committee on Mines and Mining. House Joint Resolution 533. A joint resolution providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska; without amendment (Rept. No. 1812). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GAMBRILL: Committee on Naval Affairs. House bill 11886. A bill for the relief of Joseph Michael McDougall; without amendment (Rept. No. 1813.) Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WICKERSHAM: A bill (H. R. 13954) to provide for appeal or writ of error from final judgments in the district courts of Alaska to the United States Circuit Court of Appeals; to the Committee on the Judiciary.

By Mr. McKEOWN: A bill (H. R. 13955) to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. FRENCH: A bill (H. R. 13956) to authorize the construction of a bridge across Pend Oreille Lake at the city of Sandpoint, in the State of Idaho; to the Committee on Interstate and Foreign Commerce.



By Mr. BRITTEN: A bill (H. R. 13957) to amend section 3 of an act entitled "An act granting the consent of Congress to the South Park commissioners and the commissioners of Lincoln Park, separately or jointly, to construct, maintain, and operate a free highway bridge across that portion of Lake Michigan lying opposite the entrance to Chicago River, Ill.; and granting the consent of Congress to the commissioners of Lincoln Park to construct, maintain, and operate a free highway bridge across the Michigan Canal, otherwise known as the Ogden Slip, in the city of Chicago, Ill.," approved January 14, 1929; to the Committee on Interstate and Foreign Commerce.

By Mr. LaGUARDIA: A bill (H. R. 13958) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplemental thereto; to the Committee on the Judiciary.

By Mr. WICKERSHAM: A bill (H. R. 13959) to authorize the incorporated town of Fairbanks, Alaska, to issue bonds in any sum not exceeding \$100,000 for the purpose of constructing and equipping a public-school building in the town of Fairbanks, Alaska, and for other purposes; to the Committee on the Territories.

By Mr. DOUGLAS of Arizona: A bill (H. R. 13960) to amend the description of land described in section 1 of the act approved February 14, 1931, entitled "An act to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 13961) granting the consent of Congress to The Dalles Bridge Co., a corporation of the State of Washington, its successors or assigns, to construct, maintain, and operate a bridge across the Columbia River, at a point approximately 5 miles upstream from the city of The Dalles, in the State of Oregon, to a point on the opposite shore in the State of Washington; to the Committee on Interstate and Foreign Commerce.

By Mr. KNUTSON: A bill (H. R. 13962) to authorize the conveyance by the United States to the State of Minnesota of lot 5, section 18, township 131 north, range 29 west, in the county of Morrison, Minn.; to the Committee on the Public Lands.

By Mr. GARBER: Resolution (H. Res. 336) to authorize the Committee on the Judiciary of the House of Representatives to make an investigation of the costs of the material used in the manufacture of major farm implements, and for other purposes; to the Committee on Rules.

By Mr. LEA: Joint resolution (H. J. Res. 534) proposing an amendment to the Constitution providing for a direct vote on repeal of the eighteenth amendment; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLACK: A bill (H. R. 13963) authorizing the Comptroller General of the United States to adjust and settle the claim of the Booth Fisheries Co.; to the Committee on Claims.

By Mr. BLOOM: A bill (H. R. 13964) for the relief of Eugene McGirr and Rose McGirr; to the Committee on Claims.

By Mr. COCHRAN of Pennsylvania: A bill (H. R. 13965) granting an increase of pension to Johanna Burns; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 13966) granting a pension to Jeanette Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13967) for the relief of Charles L. Fremling; to the Committee on Military Affairs.

Also, a bill (H. R. 13968) for the relief of Roy Hall; to the Committee on Naval Affairs.

By Mr. SWANK: A bill (H. R. 13969) granting an increase of pension to Edward Shaw; to the Committee on Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 13970) granting a pension to Mary Wyse Benson; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 13971) granting a pension to Loretta Mae Rose; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9268. By Mr. BACON: Petition of sundry residents of Eastport, N. Y., favoring the so-called stop-alien representation constitutional amendment; to the Committee on the Judiciary.

9269. By Mr. BOILEAU: Petition of the Rev. F. M. Wierma and other residents of Marathon County, Wis., favoring the stop-alien amendment to the Constitution; to the Committee on the Judiciary.

9270. By Mr. BOYLAN: Resolution adopted by the Warehousemen's Association of the Port of New York, New York City, N. Y., protesting against favorable consideration by the Reconstruction Finance Corporation of the appeal proposed to be made to it for a loan of \$11,000,000 for financing the proposed development of the waterfront in the harbor of New York for terminal facilities, etc.; to the Committee on Banking and Currency.

9271. By Mr. CURRY: Petition of the citizens of Sacramento, Calif., urging that the stop-alien representation amendment to the United States Constitution be adopted; to the Committee on Immigration and Naturalization.

9272. Also, petition of citizens of the third California district, concerning motion-picture censorship; to the Committee on Interstate and Foreign Commerce.

9273. By Mr. DELANEY: Petition of the Warehousemen's Association of the Port of New York (Inc.), of New York, protesting against favorable consideration by the Reconstruction Finance Corporation of the appeal proposed to be made to it for a loan of \$11,000,000 or any other sum of money for financing the proposed or any other development of the waterfront in the harbor of New York for terminal facilities; to the Committee on Banking and Currency.

9274. By Mr. GILCHRIST: Petition of the Woman's Home Missionary Society of Farnhamville, Iowa, signed by 21 members of the organization, as shown by the attached form of resolution; to the Committee on Interstate and Foreign Commerce.

9275. Also, petition of the Woman's Home Missionary Society of Graettinger, Iowa, signed by 14 members of the organization, as shown by the attached form of resolution; to the Committee on Interstate and Foreign Commerce.

9276. By Mr. GOLDSBOROUGH: Petition of the Ministerial Association of the Salisbury (Md.) District of the Delaware Conference of the Methodist Episcopal Church, supporting the eighteenth amendment and the Volstead Act; to the Committee on the Judiciary.

9277. By Mr. KOPP: Petition of Nora Chord and many other citizens of Marengo, Iowa, urging support of the stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

9278. By Mr. LAMNECK: Petition of Peggy Duvendeck, Mary E. Greasamor, Mrs. L. P. Taylor, and numerous other citizens of the twelfth Ohio congressional district, protesting against the existing discriminatory and confiscatory tax on toilet goods and cosmetics; to the Committee on Ways and Means.

9279. By Mr. LONERGAN: Petition of the Woman's Home Missionary Society of the First Methodist Church of Hartford, Conn., requesting the establishing of a Federal motion-picture commission; to the Committee on Interstate and Foreign Commerce.

9280. By Mr. MEAD: Petition of Warehousemen's Association of the Port of New York, protesting against the proposed terminal development at Bayonne, in the State of New Jersey, harbor of New York; to the Committee on Banking and Currency.

9281. By Mr. SPARKS: Petition of citizens of Palco, Kans., submitted by Mrs. W. F. Bomgardner and Mrs. H. Z. Moore and signed by 112 others, favoring the resistance of all efforts at repeal or modification of the eighteenth amendment and against any bill to legalize beer or wine; to the Committee on the Judiciary.

9282. By Mr. STALKER: Petition of E. W. Kostenbader and 100 other residents of Groten, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9283. Also, petition of Mary J. Bowen and 50 other residents of Wallace, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9284. Also, petition of Walter Kinney and 10 other residents of Barton, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9285. Also, petition of James M. Everett and 35 other residents of Lockwood, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9286. Also, petition of the Methodist Episcopal Church of Groton, N. Y., at its annual meeting, urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9287. Also, petition of J. B. Stewart and 10 other residents of Coopers Plains, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9288. Also, petition of Mrs. Andrew Smith and 30 other residents of Reading Center, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9289. Also, petition of Leroy Abbott and 52 other residents of Painted Post, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9290. Also, petition of Myra M. Seeley and 50 other residents of West Danby, Tompkins County, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9291. Also, petition of Rev. Robert W. Packer and 17 other residents of Trumansburg, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9292. Also, petition of Rev. W. Cleon B. Turner and 48 other residents of Tyrone, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9293. Also, petition of Nellie Kilbury, first vice president of the Woman's Christian Temperance Union, of Hornell, N. Y., and 15 other members, urging support of the stop-alien amendment to the United States Constitution to cut

out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9294. Also, petition of Rev. Harold Reed and 105 other residents of Hornell, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9295. Also, petition of Rev. Julian Klock and 23 other residents of Bath, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9296. Also, petition of Rev. Lester J. Trout and 60 other residents of Owego, N. Y., urging the support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9297. Also, petition of Charles Heimroth and 30 other residents of Avoca, N. Y., urging support of the stop-alien amendment to the United States Constitution, to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9298. Also, petition of Mrs. W. T. Gustin and 45 other residents of Elmira Heights, N. Y., urging support of the stop-alien amendment to the United States Constitution to cut out aliens and count only American citizens when making future apportionments for congressional districts; to the Committee on the Judiciary.

9299. By Mr. STEWART: Petition of 18 residents of Union County, N. J., urging the passage of House Resolution 97, to amend the Constitution to exclude aliens when future apportionments for congressional districts are made; to the Committee on the Judiciary.

9300. By Mr. STRONG of Pennsylvania: Petition of citizens of Rochester Mills, Pa., favoring the amending of the Constitution of the United States to exclude aliens and count only American citizens when making future congressional apportionments; to the Committee on the Judiciary.

9301. By Mr. TAYLOR of Colorado: Petition of citizens of Tiffany, Colo., and vicinity, urging legislation to bring about remonetization of silver at a reasonable ratio with gold; to the Committee on Coinage, Weights, and Measures.

9302. By Mr. THOMASON: Petition of Texas Angora Goat Raisers Association, asking relief for joint-stock land banks; to the Committee on Banking and Currency.

9303. Also, petition of citizens of San Angelo, Tex., asking relief for homestead owners; to the Committee on Agriculture.

9304. By Mr. TREADWAY: Petitions of citizens of Pittsfield, New Marlboro, Hartsville, Monterey, Great Barrington, and Housatonic, Mass., favoring the adoption of a stop-alien representation amendment to the Constitution of the United States; to the Committee on the Judiciary.

9305. By the SPEAKER: Petition of William E. Ranft and others, protesting against any Sunday blue law; to the Committee on the District of Columbia.

## SENATE

FRIDAY, DECEMBER 30, 1932

Rev. Hulbert A. Woolfall, rector of St. Peter's Episcopal Church, of the city of St. Louis, Mo., offered the following prayer:

Almighty God, who has so wonderfully made this Nation and set men in it to see their duty as Thy will, give us, we beseech Thee, the mind of Christ, that all problems, individual and corporate, may be solved in His wisdom and by the power of His spirit. Keep alive in our hearts the adventurous spirit that makes men scorn the way of safety, so